



# Veterinary Surgeons Act 1966

## 1966 CHAPTER 36

### *The Council*

#### **1 The Council of the Royal College of Veterinary Surgeons.**

- (1) For the purpose of managing the affairs of the Royal College of Veterinary Surgeons there shall continue to be a Council of the College consisting (subject to any Order in Council under section 21 of this Act) of the following persons, that is to say—
- (a) twenty-four persons (hereafter in this Act referred to as “elected members of the Council”) elected from among themselves by members of the College . . .  
<sup>F1,</sup>
  - (b) four persons appointed by the Privy Council;
  - (c) for each university in the United Kingdom for which a recognition order is in force, two persons appointed by that university of whom at least one shall be a member of the College.

[<sup>F2</sup>(1A) A member of the College who, by virtue of article 3(1) or 3(2) of the Agreement with respect to veterinary surgeons made between Her Majesty’s Government in the United Kingdom and the Government of the Republic of Ireland and given effect to in the United Kingdom by the Veterinary Surgeons (Agreement with the Republic of Ireland) Order <sup>M1</sup>1988, is not required to pay a fee in respect of his membership of the College, may not vote, propose any candidate or stand as a candidate in any election of members of the Council which takes place after 31st May 1988 unless he has paid, in respect of every membership year that has occurred between that date and the date of the election, the fee prescribed by regulation of the Council under section 11(1) (b) of this Act on or before 31st March in every such year; and in this sub-section “membership year” means the membership year of the College running from the 1st day of April to the 31st day of March.]

- (2) There shall continue to be a President and two Vice-Presidents of the College elected from among themselves by members of the Council.
- (3) Schedule 1 to this Act shall have effect with respect to the tenure of office, election and appointment of the President and Vice-Presidents of the College and of the other members of the Council and with respect to other matters relating to the Council.

*Status: Point in time view as at 30/05/2007.*

*Changes to legislation: There are currently no known outstanding effects for the Veterinary Surgeons Act 1966. (See end of Document for details)*

- (4) Where the Privy Council make an order under section 3 of this Act which will result in a change in the number of members appointed under subsection (1)(c) of this section, they may by order after consultation with the Council of the College—
- (a) make such alteration in the number of elected members of the Council of the College as appears to them expedient in view of the making of the order under the said section 3 for the purpose of securing that there is a majority of elected members over all other members of the Council of the College; and
  - (b) make such consequential provision with respect to the term of office of the elected members (including provision modifying Schedule 1 to this Act) as appears to them necessary or expedient in consequence of the change in the total number of elected members.

#### Textual Amendments

- F1** Words repealed by [S.I. 1988/784, art. 4\(a\)](#)  
**F2** [S. 1\(1\)\(1A\)](#) inserted by [S.I. 1988/784, art. 4\(b\)](#)

#### Marginal Citations

- M1** [S.I. 1988/784](#).

### *Registration and qualification for registration*

## 2 Register of veterinary surgeons.

- (1) There shall continue to be a register known as the register of veterinary surgeons (hereafter in this Act referred to as “the register”) containing the names, addresses and qualifications of all persons who are entitled under the provisions of this Act to be registered therein.
- (2) The register shall consist of four lists—
  - [<sup>F3</sup>(a) one, to be called the general list, of persons entitled to be registered in the register under section 3, 4, 5A or 5B of this Act;]
  - (b) one, to be called the Commonwealth list, of persons entitled to be so registered as holding some Commonwealth qualification;
  - (c) one, to be called the foreign list, of persons so registered as holding some foreign qualification;
  - (d) one, to be called the temporary list, of persons entitled to be so registered under section 7 of this Act.

#### Textual Amendments

- F3** [S. 2\(2\)\(a\)](#) substituted (17.12.2003) by [Veterinary Surgeons' Qualifications \(European Recognition\) Order 2003 \(S.I. 2003/2919\)](#), arts. 1, 12, [Sch. para. 1](#)

## 3 Right of holders of university degrees to be registered.

- (1) Where—
  - (a) a university in the United Kingdom provides courses of study and examinations leading to a veterinary degree, and

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- (b) it appears to the Privy Council, after consultation with the Council of the College, that the courses of study and examinations are such as sufficiently to guarantee that holders of the degree will have acquired the knowledge and skill needed for the efficient practice of veterinary surgery,
- the Privy Council may by order (in this Act referred to as “a recognition order”) direct that any person on whom, during the continuance in force of the order, the degree is conferred after attending those courses at that university shall be entitled to be registered in the register and shall on being so registered become a member of the College.
- (2) If, while a recognition order is in force, it appears to the Council that the courses of study and examinations leading to the degree to which the order relates are no longer such as to justify the continuance in force of the order, the Council may make representations to that effect to the Privy Council.
- (3) Where any representations are made under the last foregoing subsection, the Privy Council shall give notice to the university in question that the representations have been made, together with such particulars thereof as may be requisite to enable the university to formulate their observations on or objections to the representations.
- (4) The Privy Council shall consider any such representations and any such observations or objections made within such time not less than two months from the giving of the notice under the last foregoing subsection as the Privy Council may determine, and may if they think fit by order revoke or suspend the recognition order.
- (5) An order under the last foregoing subsection suspending a recognition order may be revoked by a subsequent order of the Privy Council if it appears to them expedient in consequence of representations made by the Council of the College or by the university in question that the recognition order should be revived.

#### **4 Examination by the College of students of certain universities.**

- (1) On the application of any university in the United Kingdom for which no recognition order is in force the Privy Council may after consultation with the Council of the College direct the College to hold examinations in veterinary surgery for the students of veterinary surgery attending at that university; and any such student passing any such examination shall be entitled to be registered in the register and shall on being so registered become a member of the College.
- (2) A direction under the foregoing subsection with respect to any university shall cease to have effect on the coming into force or revival of a recognition order for that university or may be revoked by a subsequent direction of the Privy Council made after consultation with that university and with the Council of the College.

#### **5 Supervisory functions of the Council.**

- (1) The following provisions of this section shall have effect for the purpose of securing that the courses of study to be followed by students training to be veterinary surgeons and the standard of proficiency required for registration in the register shall be such as sufficiently to guarantee that persons registered in the register will have acquired the knowledge and skill needed for the efficient practice of veterinary surgery: and it shall be the duty of the Council to exercise the powers conferred on them by those provisions so far as necessary for that purpose.

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- (2) The Council may appoint persons to visit the universities for which recognition orders are in force or are proposed to be made, and any other universities which for the time being provide or propose to provide courses leading to examination by the College, and to report on the courses of study, staffing, accommodation and equipment available for training in veterinary surgery and the other arrangements and facilities for such training.
- (3) The Council may appoint persons to attend at examinations in any aspect of veterinary surgery at universities for which recognition orders are in force or are proposed to be made and to report to the Council as to the sufficiency of the examinations and as to such other matters relating thereto as the Council may require:

Provided nothing in this subsection shall authorise a person appointed therein to interfere with the conduct of any examination.

- (4) On the receipt of any report made under this section—
- (a) the Council shall send a copy of the report to the university concerned;
  - (b) the university may within the period of two months from the receipt of the copy make observations on or objections to the report to the Council;
  - (c) as soon as practicable after the expiration of that period the Council shall send the Privy Council a copy of the report and of any such observations or objections which are duly made, together with the comments of the former on the report and the observations or objections.
- (5) A university for which a recognition order is in force shall, on being requested in writing so to do by the Council, furnish the Council with such information as may be specified in the request as to the courses of study and examinations leading to the degree to which the recognition order relates; and a university for whose students of veterinary surgery examinations are held under the last foregoing section shall, on being so requested, furnish the Council with such information as may be so specified as to the courses of study preparing students for those examinations.

#### **[<sup>F4</sup>[<sup>F5</sup>5A] Registration of member State nationals: European qualification**

- (1) A person who is a national of a member State is entitled to be registered in the register if—
- (a) he is an eligible European veterinary surgeon, and
  - (b) he produces to the registrar the required additional documentation (if any).
- (2) A person shall become a member of the College on being registered under subsection (1).]
- (3) The registrar shall give notice to an applicant for registration under this section of whether or not, in the opinion of the registrar, he is entitled to be so registered; and shall do so within three months of—
- (a) the date on which the registrar received his application; or
  - (b) if for the purpose of determining the application the registrar reasonably required the applicant to produce further documents or particulars, the date on which the registrar received them.
- (4) If the registrar refuses to register the applicant, the notice shall include —
- (a) the reasons for his refusal; and
  - (b) notice of the applicant's right to appeal under section 5C of this Act.

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(5) If the registrar fails to give notice to the applicant under subsection (3) of this section within the period of three months referred to there, the registrar shall be deemed to have refused to register him on the last day of that period.

[<sup>F6</sup>(6) Schedule 1A sets out the requirements for eligibility for registration of European veterinary surgeons and the required additional documentation.]

[<sup>F7</sup>(7) This section is subject to the other provisions of this Act and any Order in Council under section 2(2) of the European Communities Act 1972.]]

#### Textual Amendments

- F4** S. 5A substituted (17.12.2003) by [Veterinary Surgeons' Qualifications \(European Recognition\) Order 2003 \(S.I. 2003/2919\)](#), arts. 1, 12, **Sch. para. 2**
- F5** S. 5A(1)(2) and title substituted (30.5.2007) by [Veterinary Surgeons' Qualifications \(European Recognition\) Order 2007 \(S.I. 2007/1348\)](#), reg. 1, **Sch. para. 1(2)**
- F6** S. 5A(6) substituted (30.5.2007) by [Veterinary Surgeons' Qualifications \(European Recognition\) Order 2007 \(S.I. 2007/1348\)](#), reg. 1, **Sch. para. 1(3)**
- F7** S. 5A(7) inserted (30.5.2007) by [Veterinary Surgeons' Qualifications \(European Recognition\) Order 2007 \(S.I. 2007/1348\)](#), reg. 1, **Sch. para. 1(4)**

#### Modifications etc. (not altering text)

- C1** S. 5A restricted by [S.I. 1980/1951](#), **art. 4(1)**

#### [<sup>F8</sup>**5B** [<sup>F9</sup>**Registration of member State nationals: knowledge and skill**]]

- (1) A national of a member State who is not entitled to be registered under section 5A of this Act may apply to be registered under this section.
- (2) If such an applicant shows to the satisfaction of the registrar that he has the requisite knowledge and skill to fit him for practising veterinary surgery in the United Kingdom, he shall be entitled to be registered in the register, and upon being so registered shall become a member of the College.
- (3) In determining an application under this section, the registrar shall take into account—
- any veterinary qualifications, veterinary training and professional experience in veterinary surgery acquired by the applicant, whether in a member State or elsewhere; and
  - any acceptance by a member State other than the United Kingdom, for the purposes of the applicant carrying out veterinary surgery in that member State, of a qualification granted to the applicant in a state which is not a member State.
- (4) Subsections (3) to (5) of section 5A of this Act apply for the purposes of this section as they apply for the purposes of that.]

#### Textual Amendments

- F8** S. 5B inserted (17.12.2003) by [Veterinary Surgeons' Qualifications \(European Recognition\) Order 2003 \(S.I. 2003/2919\)](#), arts. 1, 12, **Sch. para. 3**
- F9** S. 5B title substituted (30.5.2007) by [Veterinary Surgeons' Qualifications \(European Recognition\) Order 2007 \(S.I. 2007/1348\)](#), reg. 1, **Sch. para. 2**

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## [<sup>F10</sup>5C Appeals on refusal to register

- (1) A person may appeal to the Council if his application for registration under section 5A or 5B of this Act is refused.
- (2) An appeal under subsection (1) of this section shall be brought within three months of—
  - (a) the date on which the applicant receives the notice referred to in subsection (3) of section 5A of this Act or, as the case may be, that subsection as applied by section 5B(4); or
  - (b) if, under subsection (5) of section 5A of this Act, or that subsection as applied by section 5B(4), the applicant's application is deemed to have been refused, the date of the deemed refusal.
- (3) An appeal under subsection (1) of this section shall be referred to the registration appeals committee which may—
  - (a) dismiss the appeal;
  - (b) allow the appeal and quash the decision appealed against;
  - (c) substitute for the decision appealed against any other decision which could have been made; or
  - (d) remit the case to the registrar to dispose of in accordance with the directions of the committee.
- (4) The registration appeals committee shall, within 28 days of making a decision, give notice of its decision to the applicant.
- (5) A notice under subsection (4) shall—
  - (a) give reasons for the decision of the registration appeals committee; and
  - (b) refer to the applicant's right to appeal to the appropriate court against the decision of the registration appeals committee.
- (6) A person may appeal to the appropriate court against the decision of the registration appeals committee within 28 days of the date on which he was notified of that decision.
- (7) In subsections (5), (6) and (9), the "appropriate court" is—
  - (a) a county court; or
  - (b) in the case of a person whose address in the register would, if he were registered, be in Scotland, the sheriff in whose sheriffdom the address is situated.
- (8) The Council of the College may appear as respondent on any such appeal and, for the purpose of enabling directions to be given as to the costs of any such appeal, shall be deemed to be a party to the appeal whether they appeared at the hearing or not.
- (9) On an appeal to the appropriate court under this section, the court (or the sheriff) may—
  - (a) dismiss the appeal;
  - (b) allow the appeal and quash the decision of the registration appeals committee;
  - (c) substitute for the decision appealed against any other decision which could have been made by the registration appeals committee; or
  - (d) remit the case to the registration appeals committee to dispose of in accordance with the directions of the court,
 and may make such order as to costs (or in Scotland, expenses), as it (or he) thinks fit.]

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#### Textual Amendments

**F10** S. 5C inserted (17.12.2003) by [Veterinary Surgeons' Qualifications \(European Recognition\) Order 2003 \(S.I. 2003/2919\)](#), arts. 1, 12, **Sch. para. 4**

#### [<sup>F11</sup>5D Registration appeals committee

- (1) The Council shall set up a committee of the Council to be known as the registration appeals committee which shall be charged with considering and determining appeals under section 5C(1) of this Act.
- (2) The registration appeals committee shall consist of five members of the Council, not more than three of whom shall be members of the College.
- (3) The quorum for a meeting of the registration appeals committee shall be three, not more than two of whom shall be members of the College.
- (4) The Council shall make rules relating to the appointment of members of the registration appeals committee, the constitution of that committee and the procedure to be followed in relation to appeals to that committee, including provision as to any rules of evidence to be observed in such appeals.]

#### Textual Amendments

**F11** S. 5D inserted (17.12.2003) by [Veterinary Surgeons' Qualifications \(European Recognition\) Order 2003 \(S.I. 2003/2919\)](#), arts. 1, 12, **Sch. para. 5**

## 6 Qualification for registration as a Commonwealth or foreign practitioner.

- (1) A person who shows to the satisfaction of the registrar—
  - (a) that he is of good character,
  - (b) that he holds a Commonwealth or foreign qualification in veterinary surgery, and
  - (c) that he has satisfied the Council that he has the requisite knowledge and skill to fit him for practising veterinary surgery in the United Kingdom,shall be entitled to be registered in the register and on being so registered shall become a member of the College.
- (2) Without prejudice to any other steps which the Council may take for the purpose of satisfying themselves that a person has the said knowledge and skill, the Council shall for that purpose, except in a case falling within the next following subsection, require him to sit for examinations held for the purposes of this section by or under arrangements made by the College.
- (3) If a Commonwealth or foreign qualification held by a person is of a kind accepted for the time being by the Council as constituting, in itself, satisfactory proof of that person's possessing the requisite knowledge and skill to fit him for practising veterinary surgery in the United Kingdom, that person shall be taken to have satisfied the Council that he has the said knowledge and skill.
- (4) The Council may make regulations as to the examinations to be held for the purposes of this section, and may include in the regulations provisions for withdrawing the right

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to sit for any such examinations from a person who has not paid the fee prescribed by the regulations for sitting for the examinations, or from a person who has previously failed to pass such examinations on such number of occasions as may be prescribed by the regulations.

- (5) The Council may direct that a particular person who has passed the examinations required to obtain a Commonwealth or foreign qualification shall be treated for the purposes of this section as a person holding a Commonwealth or foreign qualification, as the case may be.

[<sup>F12</sup>(6) No person shall be registered under this section if he is entitled to be registered under section 5A or 5B of this Act.]

#### Textual Amendments

**F12** S. 6(6) substituted (17.12.2003) by [Veterinary Surgeons' Qualifications \(European Recognition\) Order 2003 \(S.I. 2003/2919\)](#), arts. 1, 12, [Sch. para. 6](#)

## 7 Temporary registration.

- (1) The Council may, with a view to permitting—
- (a) a person who satisfies them that he has attended a course of study, and has passed the examinations, leading to a degree to which a recognition order relates; and
  - (b) a person holding a Commonwealth or foreign qualification in veterinary surgery,
- to practise veterinary surgery temporarily or otherwise subject to restrictions, direct that he be registered in the register subject to such restrictions as the Council may specify in the direction with respect to the period for which, the place or places at which and the circumstances in which he may practise veterinary surgery; and any person with respect to whom a direction is given under this subsection shall be entitled to be registered in the register subject to the entry against his name of the restrictions so specified.
- (2) Registration under this section shall not make it lawful for a person to practise veterinary surgery otherwise than subject to the said restrictions.
- (3) Where a person registered under this section fails to comply with any of the restrictions subject to which he is registered, the Council may cause his name to be removed from the register.
- (4) The Council may direct that a particular person who has passed the examinations required to obtain a Commonwealth or foreign qualification shall be treated for the purposes of this section as a person holding a Commonwealth or foreign qualification, as the case may be.

## 8 Supplementary veterinary register.

- (1) There shall continue to be a register known as the supplementary veterinary register containing the names and addresses of the following persons (to be known as veterinary practitioners), that is to say—
- (a) the persons who immediately before the commencement of this Act were registered in that register;



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- (b) the persons who having been so registered at some previous time were not then so registered, but whose names are restored to that register under section 18 of this Act; and
  - (c) the persons entitled to be registered in that register under the next following subsection.
- (2) Any person who for an aggregate of not less than seven out of the ten years immediately preceding 2nd December 1965 held a licence under section 7 of the <sup>M2</sup>Veterinary Surgeons Act 1948 (licensing of employees of certain societies and institutions providing free treatment for animals) shall be entitled to be registered in the supplementary veterinary register, but shall not be entitled to practise veterinary surgery—
- (a) otherwise than as an employee of any society or institution mentioned in subsection (1) of that section; or
  - (b) except with permission granted by the Council and subject to such restrictions as the Council may impose.
- (3) Where a person is registered in the supplementary veterinary register under the last foregoing subsection, the entry against his name in the register shall state—
- (a) whether he is the employee of any such society or institution as aforesaid;
  - (b) whether he has been granted permission to practise veterinary surgery; and
  - (c) any restrictions subject to which he may practise it.
- (4) Where a person registered in the supplementary veterinary register under subsection (2) of this section fails to comply with any restrictions subject to which he is so registered, the Council may cause his name to be removed from the register.
- (5) A certificate purporting to be a certificate of the Minister of Agriculture, Fisheries and Food stating that any person held, or did not hold, a licence under section 7 of the <sup>M3</sup>Veterinary Surgeons Act 1948 for a period specified in the certificate shall be conclusive for the purposes of this section of the matters stated in the certificate.

#### Marginal Citations

- M2** 1948 c. 52.
- M3** 1948 c. 52.

#### *Supplementary provisions as to the register and registration*

### **9 Keeping, evidential effect and publication of the register.**

- (1) The register shall be kept by the registrar of the College who shall be appointed by the Council.
- (2) The registrar shall perform such other duties in connection with the register as the Council may direct, and in the execution of his duties he shall act on such evidence as in each case appears sufficient.
- (3) The Council shall cause the register to be printed and published as often as they think fit.

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- (4) If in any year the register is not published, the Council shall cause any alterations in the entries in that register which have been made since the last publication thereof to be printed and published within that year.
- (5) A copy of the register purporting to be printed and published by the Council shall, as altered by any alterations purporting to be printed and published by the Council, be evidence (and in Scotland sufficient evidence) that the persons specified in the register are registered therein; and the absence of a person's name from any such copy shall be evidence (and in Scotland sufficient evidence) that he is not registered in the register.
- (6) In the case of a person whose name does not appear in any such copy of the register as altered as aforesaid, a certified copy, under the hand of the registrar, of the entry relating to that person in the register shall be evidence (and in Scotland sufficient evidence) of the entry.
- (7) The registrar shall from time to time insert in the register any alteration which may come to his knowledge in the name or address of any registered person.
- (8) The foregoing provisions of this section shall apply in relation to the supplementary veterinary register as they apply in relation to the register of veterinary surgeons.

## 10 Procedure for registration.

- (1) Any right to registration in the register or the supplementary veterinary register shall be conditional on the making of an application supported by such evidence as is required by the following subsection and, in the case of registration in the supplementary veterinary register of persons mentioned in section 8(1)(c) of this Act, on the making of the application within six months of the commencement of this Act.
- (2) A person applying to be registered in either of the said registers shall produce or send to the registrar the document conferring or evidencing his qualification for registration, together with a statement of his name and address and such other particulars, if any, as may be required for registration.

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### Modifications etc. (not altering text)

C2 Ss. 10, 11 excluded by S.I. 1980/1951, art. 5(6)

## 11 Power to make regulations, etc., with respect to the register.

- (1) The Council may make regulations with respect to the form and keeping of the register, the making of entries therein and the removal of entries therefrom and, in particular,—
  - (a) prescribing a fee to be charged on the entry of a name in the register or on the restoration of any entry to the register;
  - (b) prescribing a fee to be charged in respect of the retention in the register of the name of a person in any year subsequent to the year in which he was first registered;
  - (c) authorising the registrar, notwithstanding anything in this Act, to refuse to make in, or restore to, the register any entry until a fee prescribed by regulations under this section has been paid.

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- (2) Regulations under this section may authorise the registrar to remove from the register the name of a person who, after such notices and warnings as may be prescribed by the regulations, fails to pay a fee prescribed under paragraph (b) of the foregoing subsection.
- (3) If, within such period as may be prescribed by regulations under this section, any person whose name has been removed from the register in accordance with regulations made by virtue of the last foregoing subsection pays the fee due from him, together with such additional sum (if any) as may be so prescribed, his name shall be restored to the register and, if the Council so direct, shall be deemed for all purposes not to have been removed therefrom.
- (4) Regulations under this section prescribing fees may provide for the charging of different fees in different cases and may provide that fees shall not be chargeable in prescribed cases.
- (5) The Council may give directions authorising any additional qualifications specified in the directions to be entered in the register on the application of registered veterinary surgeons by whom they are held.
- (6) The foregoing provisions of this section shall apply in relation to the supplementary veterinary register as they apply in relation to the register of veterinary surgeons; but any regulations under this section may make different provision in relation to the two registers.

**Modifications etc. (not altering text)**

**C3** Ss. 10, 11 excluded by S.I. 1980/1951, art. 5(6)

**12 Abbreviations of qualifications granted abroad.**

Where a person's name is entered in the Commonwealth list or the foreign list, or an additional qualification granted in a place outside the United Kingdom is entered against a person's name in any part of the register, the registrar shall enter the qualification by virtue of which that person is registered or, as the case may be, the additional qualification, in such abbreviated form as the registrar, after consultation with the Council, may select as being convenient.

**13 Removal of names of deceased persons and of those who have ceased to practise.**

- (1) The registrar shall remove from the register the name of every deceased person and, on registering the death of a registered veterinary surgeon, a registrar of births and deaths shall, without charge, send forthwith by post to the registrar a copy certified under his hand of the entry in the register of deaths relating to the death.
- (2) If a registered veterinary surgeon has ceased to practise the registrar may at his request or with his consent remove his name from the register.
- (3) The registrar may send by post to a registered veterinary surgeon a notice inquiring whether he has ceased to practise or has changed his residence and, if no answer is received to the inquiry within six months from the posting of the notice, he may remove the name of the registered veterinary surgeon from the register.

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- (4) Where a person's name has been removed from the register under subsection (2) or (3) of this section, the name may be restored to the register on his application unless the original entry of his name was incorrectly or fraudulently made.
- (5) This section shall apply in relation to the supplementary veterinary register and persons registered in that register as it applies in relation to the register of veterinary surgeons and registered veterinary surgeons.

#### **14 Incorrect and fraudulent entries in the register.**

It shall be the duty of the Council to refer to the disciplinary committee any case in which it appears to the Council that an entry in the register of veterinary surgeons or the supplementary veterinary register has been fraudulently made and to remove from that register any other entry which has been incorrectly made.

##### *Disciplinary and similar proceedings*

#### **15 Preliminary investigation and disciplinary committees.**

- (1) The Council shall set up a committee of the Council to be known as the preliminary investigation committee which shall be charged with the duty of conducting a preliminary investigation into every disciplinary case (that is to say, a case in which it is alleged that a person is liable to have his name removed from the register or to have his registration suspended under the next following section) and of deciding whether the case should be referred to the disciplinary committee.
- (2) There shall continue to be a committee of the Council known as the disciplinary committee charged with the duty of considering and determining—
  - (a) any disciplinary case referred to them by the preliminary investigation committee; and
  - (b) any other case of which the disciplinary committee has cognizance under section 18 of this Act.
- (3) The provisions of Part I of Schedule 2 to this Act shall have effect with respect to the constitution of the preliminary investigation and disciplinary committees, and the provisions of Part II of that Schedule shall have effect with respect to the procedure of the disciplinary committee.

#### **16 Removal of names from register for crime or disgraceful conduct.**

- (1) If—
  - (a) a person registered in the register is convicted in the United Kingdom or elsewhere of a criminal offence which, in the opinion of the disciplinary committee, renders him unfit to practise veterinary surgery; or
  - (b) any such person is judged by the disciplinary committee to have been guilty of disgraceful conduct in any professional respect; or
  - (c) the disciplinary committee is satisfied that the name of any such person has been fraudulently entered in the register,

the committee may, if they think fit, direct that his name shall be removed from the register or (except in a case falling within paragraph (c) of this subsection) that his

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registration therein shall be suspended, that is to say, it shall not have effect during a period specified in the direction.

- (2) Where the disciplinary committee direct that a person's name shall be removed from the register or that his registration shall be suspended under this section, the registrar shall serve a notice of the direction on him.
- (3) This section shall apply in relation to the supplementary veterinary register and persons registered in that register as it applies in relation to the register of veterinary surgeons and registered veterinary surgeons.

## **17 Appeals in disciplinary and other cases.**

- (1) A person in relation to whom a direction has been given under the last foregoing section may, at any time within twenty-eight days from the date of service on him of the notice of the direction, appeal against the direction to Her Majesty in Council in accordance with such rules as Her Majesty in Council may by order provide for the purposes of this section; and the <sup>M4</sup>Judicial Committee Act 1833 shall apply in relation to the disciplinary committee as it applies in relation to such courts as are mentioned in section 3 of that Act (reference to the Judicial Committee of the Privy Council of appeals to Her Majesty in Council).
- (2) The Council of the College may appear as respondent on any such appeal and, for the purpose of enabling directions to be given as to the costs of any such appeal, shall be deemed to be a party thereto whether they appeared on the hearing of the appeal or not.
- (3) A direction under the last foregoing section shall take effect—
  - (a) where no appeal under this section is brought against the direction within the time limited for the appeal, on the expiration of that time;
  - (b) where such an appeal is brought and is withdrawn or struck out for want of prosecution, on the withdrawal or striking out of the appeal;
  - (c) where such an appeal is brought and is not withdrawn or struck out as aforesaid, if and when the appeal is dismissed and not otherwise.

### **Marginal Citations**

**M4** 1833 c. 41.

## **18 Restoration of name after removal or suspension.**

- (1) Where a person's name has been removed from the register of veterinary surgeons or the supplementary veterinary register in pursuance of a direction under section 16 of this Act, the name of that person shall not again be entered in the register from which it was removed unless the disciplinary committee on application made to them in that behalf otherwise direct.
- (2) Where the registration of a person in either of the said registers is suspended in pursuance of any such direction, the name of that person shall not be entered in the register so long as the suspension has effect unless the disciplinary committee on application made to them in that behalf otherwise direct.

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- (3) An application under this section for the restoration of a name to either of the said registers or for the removal of a suspension of registration shall not be made to the disciplinary committee—
- (a) within ten months of the date of removal or suspension; or
  - (b) within ten months of a previous application thereunder.

*Restriction of practice of veterinary surgery*

**19 Restriction of practice of veterinary surgery by unqualified persons.**

- (1) Subject to the following provisions of this section, no individual shall practise, or hold himself out as practising or as being prepared to practise, veterinary surgery unless he is registered in the register of veterinary surgeons or the supplementary veterinary register, and an individual who acts in contravention of this subsection shall be liable—
- (a) on summary conviction to a fine not exceeding £100;
  - (b) on conviction on indictment to a fine.
- (2) ..... <sup>F13</sup>
- (3) The Council may make regulations exempting from subsection (1) of this section the carrying out or performance of any veterinary treatment, test or operation prescribed by the regulations, subject to compliance with prescribed conditions, by students of veterinary surgery of any prescribed class.
- (4) Subsection (1) of this section shall not prohibit—
- (a) the carrying out of [<sup>F14</sup>any procedure duly authorised under the Animals (Scientific Procedures) Act 1986];
  - (b) the doing of anything specified in Part I of Schedule 3 to this Act and not excluded by Part II of that Schedule;
  - (c) the performance by a registered medical practitioner of an operation on an animal for the purpose of removing an organ or tissue for use in the treatment of human beings;
  - (d) the carrying out or performance of any treatment, test or operation by a registered medical practitioner or a registered dentist at the request of a person registered in the register of veterinary surgeons or the supplementary veterinary register;
  - (e) the carrying out or performance of any minor treatment, test or operation specified in an order made by the Ministers after consultation with the Council, so long as any conditions so specified are complied with.
- (5) The Ministers may, after consultation with the Council and with persons appearing to the Ministers to represent interests so appearing to be substantially affected, by order amend the provisions of Schedule 3 to this Act.
- (6) Any order under subsection (4) or (5) of this section may be varied or revoked by a subsequent order of the Ministers under that subsection made after the like consultation.

**Subordinate Legislation Made**

**P1** S. 19: for previous exercises of this power see Index to Government Orders.

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**P2** S. 19(5)(6) power exercised by S.I. 1991/1412

**Textual Amendments**

**F13** Ss. 19(2), 20(6) repealed by Criminal Law Act 1977 (c. 45), Sch. 13

**F14** Words substituted by Animals (Scientific Procedures) Act 1986 (c. 14, SIF 4:5), s. 27(2), Sch. 3 para. 5

**Modifications etc. (not altering text)**

**C4** S. 19 extended (N.I.) by Welfare of Animals Act (Northern Ireland) 1972 (c. 7), s. 14(2)

**C5** S. 19 excluded by S.I. 1980/1951, art. 5(9)(a)

**C6** S. 19: transfer of functions (27.3.2002) by S.I. 2002/794, art. 3(1)(2) (with art. 6)

**20 Prohibition of use of practitioners' titles by unqualified persons.**

- (1) If a person not registered in the register takes or uses the title of veterinary surgeon or any name, title, addition or description implying that he is so registered, he shall be guilty of an offence.
- (2) If any person not registered in the register of veterinary surgeons or the supplementary veterinary register takes or uses the title of veterinary practitioner or any name, title, addition or description implying that he is a practitioner of, or qualified to practise, veterinary surgery to any greater extent than is authorised by or under subsection (3) of the last foregoing section, he shall be guilty of an offence.
- (3) Without prejudice to the foregoing provisions of this section, if any person uses, in connection with any business carried on by him or at any premises at which such a business is carried on, a description implying that he or any person acting for the purposes of the business possesses Veterinary qualifications which he does not in fact possess he shall be guilty of an offence.
- (4) A person guilty of an offence under this section shall be liable—
  - (a) on summary conviction to a fine not exceeding £100;
  - (b) on conviction on indictment to a fine.
- (5) Where an offence by a body corporate under this section is proved to have been committed with the consent or connivance of, or be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or a person purporting to act in any such capacity, he, as well as the body corporate shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (6) . . . . . **F15**

**Textual Amendments**

**F15** Ss. 19(2), 20(6) repealed by Criminal Law Act 1977 (c. 45), Sch. 13

**Modifications etc. (not altering text)**

**C7** S. 20 excluded by S.I. 1980/1951, art. 5(9)(b)

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### *Agreements with the Republic of Ireland*

#### **21 Power to give effect to agreements with the Republic of Ireland.**

- (1) For the purpose of giving effect to any agreement with respect to veterinary surgeons entered into (whether before or after the commencement of this Act) between Her Majesty's Government in the United Kingdom and the Government of the Republic of Ireland Her Majesty may by Order in Council make such provision as appears to Her to be expedient—
  - (a) for the appointment or election of additional members of the Council to represent the Republic of Ireland;
  - (b) for empowering the Privy Council, on the recommendation of the Council, to make an order—
    - (i) directing that the holders of any university veterinary degree of the Republic of Ireland specified in the order shall be entitled, subject to any exception so specified and on compliance with any conditions so specified, to be registered in the register and shall on being so registered become a member of the College; and
    - (ii) revoking or suspending any order made by virtue of the foregoing sub-paragraph;
  - (c) for imposing duties on the Council with respect to any reports received by them in pursuance of any such agreement;
  - (d) without prejudice to the last foregoing sub-paragraph, for requiring or enabling the disciplinary committee to act on any report made to the Council in pursuance of any such agreement by any committee of the Veterinary Council of the Republic of Ireland in connection with a disciplinary case as if the facts stated in the report had been found by the disciplinary committee on inquiring into the case under this Act.
- (2) Any Order in Council under this section may contain such incidental, consequential, transitional or supplementary provision as may appear to Her Majesty to be necessary or proper in consequence of the provisions of any such agreement or for giving full effect thereto (including provision amending this Act or any instrument thereunder).
- (3) Any Order in Council under this section may be varied or revoked by a subsequent Order thereunder.

### *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.



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## 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.

[<sup>F16</sup>(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.]

[<sup>F17</sup>(2) For section 10(1) of the <sup>M5</sup> 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.””]

### Textual Amendments

- F16** S. 24(1) repealed (E.W.) by Criminal Justice Act 1972(c. 71), Sch. 6 Pt. I; repealed (S. ) by [Law Reform \(Miscellaneous Provisions\) Act 1980 \(c. 55, SIF 72:2\)](#), s. 28(2), [Sch. 3](#)
- F17** S. 24(2) repealed (N.I.) by [S.I. 1974/2143 \(N.I. 6\)](#), [Sch. 5](#)

### Modifications etc. (not altering text)

- C8** The text of ss. 24(2), 28(1) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1. 2. 1991

### Marginal Citations

- M5** 1953 c. 19.

## 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.

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- (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 the Act, except so far as the context otherwise requires,—
  - “animals” includes birds and reptiles;
  - “College” means the Royal College of Veterinary Surgeons;
  - <sup>F18</sup> ...
  - [<sup>F19</sup>“Commonwealth qualification” means a qualification granted in a place outside the United Kingdom which is within the Commonwealth;]
  - “Council” means the Council of the College;
  - “disciplinary case” has the meaning assigned to it by section 15 of this Act;
  - <sup>F20</sup> ...
  - “elected members of the Council” has the meaning assigned to it by section 1 of this Act;
  - [<sup>F19</sup>“foreign qualification” means a qualification granted in a place outside the United Kingdom and outside the Commonwealth;]
  - [<sup>F21</sup>“member State” means EEA state or Switzerland;]
  - “the Ministers” means the Minister of Agriculture, Fisheries and Food, [<sup>F22</sup>The Secretary of State for Scotland and the Secretary of State for Wales,] and the Minister of Agriculture for Northern Ireland acting jointly;
  - [<sup>F23</sup> “national” in relation to a member State, includes any person who, by virtue of any enforceable Community right, is entitled to be treated, for the purposes of access to the veterinary profession, no less favourably than a national of such a State, but does not include a person who by virtue of Article 2 of Protocol No. 3 (Channel Islands and Isle of Man) to the Treaty of Accession is not to benefit from Community provisions relating to the free movement of persons and services. ]
  - “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

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any department of, or persons acting under the authority of, the government of any country or place;

F20  
...

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

“register” means the register of veterinary surgeons;

[<sup>F19</sup>“registration appeals committee” means the committee of the Council referred to in section 5D of this Act;]

F20  
...

F20  
...

“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.

#### Textual Amendments

**F18** Words in s. 27(1) omitted (17.12.2003) by virtue of [Veterinary Surgeons' Qualifications \(European Recognition\) Order 2003 \(S.I. 2003/2919\)](#), arts. 1, 12, [Sch. para. 7\(a\)](#)

**F19** Words in s. 27(1) inserted (17.12.2003) by [Veterinary Surgeons' Qualifications \(European Recognition\) Order 2003 \(S.I. 2003/2919\)](#), arts. 1, 12, [Sch. para. 7\(c\)](#)

**F20** Words in s. 27 omitted (30.5.2007) by virtue of [Veterinary Surgeons' Qualifications \(European Recognition\) Order 2007 \(S.I. 2007/1348\)](#), reg. 1, [Sch. para. 3\(a\)](#)

**F21** Words in s. 27 substituted (30.5.2007) by [Veterinary Surgeons' Qualifications \(European Recognition\) Order 2007 \(S.I. 2007/1348\)](#), reg. 1, [Sch. para. 3\(b\)](#)

**F22** Words substituted by [S.I. 1978/272](#), [Sch. 5](#)

**F23** Words in s. 27(1) substituted (17.12.2003) by [Veterinary Surgeons' Qualifications \(European Recognition\) Order 2003 \(S.I. 2003/2919\)](#), arts. 1, 12, [Sch. para. 7\(b\)](#)

## 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.

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- (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 person 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 <sup>M6</sup>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;
  - (c) any order made under section 1 of the <sup>M7</sup>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.
- <sup>F24</sup>(6) .....
- <sup>F25</sup>(7) .....
- (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.

**Textual Amendments**

**F24** S. 28(6) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 17](#) Group 7

**F25** S. 28(7) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 17](#) Group 7

**Modifications etc. (not altering text)**

**C9** The text of ss. 24(2), 28(1) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1. 2. 1991

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**Marginal Citations**

**M6** 1881c. 62.

**M7** 1948 c. 52.

**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, . . . <sup>F26</sup>

<sup>F27</sup>(3) . . . . .

<sup>F28</sup>(4) . . . . .

**Textual Amendments**

**F26** Words repealed by [Northern Ireland Constitution Act 1973 \(c. 36\)](#), **Sch. 6 Pt. I**

**F27** [S. 29\(3\)](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 17** Group 7

**F28** [S. 29\(4\)](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 17** Group 7

**Modifications etc. (not altering text)**

**C10** [S. 29\(3\)](#)power of appointment conferred by [s. 29\(3\)](#) fully exercised: [S.I. 1967/251](#), 1972/1990

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Veterinary Surgeons Act 1966.