

2005 No. 3517

VETERINARY SURGEONS

**The Veterinary Surgeons and Veterinary Practitioners
(Registration) Regulations Order of Council 2005**

Made - - - - - *20th December 2005*

Coming into force - - - *1st April 2006*

At the Council Chamber, Whitehall, the 20th day of December 2005

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

The Council of the Royal College of Veterinary Surgeons have made the Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations 2005 set out in the Schedule to this Order under section 11 of the Veterinary Surgeons Act 1966(a):

Under section 25(1) of that Act, those Regulations do not have effect unless approved by Order of the Privy Council:

Their Lordships, having taken these Regulations into consideration, in exercise of the power conferred by sections 25(1) and (2), order as follows:

Title and commencement

1. This Order may be cited as the Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations Order of Council 2005 and shall come into force on 1st April 2006.

Approval

2. The Regulations in the Schedule are approved.

Revocation

3. The Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations Order of Council 2003(b) and the Veterinary Surgeons and Veterinary Practitioners (Registration) (Amendment) Regulations Order of Council 2004(c) are revoked.

A.K. Galloway
Clerk of the Privy Council

(a) 1966 c. 36.
(b) S.I. 2003/3342.
(c) S.I. 2004/3317.

SCHEDULE

Article 2

VETERINARY SURGEONS AND VETERINARY PRACTITIONERS (REGISTRATION) REGULATIONS 2005

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

PART I

INTERPRETATION

1. These Regulations may be cited as the Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations 2005.

2.—(1) In these Regulations, unless the context otherwise requires—

“Act” means the Veterinary Surgeons Act 1966;

“appropriate form” means an application form issued by the Council for the type of application in question and a requirement that an application shall be made on the appropriate form shall imply that the Council is entitled to require the completion of the form, which may be satisfied by completion of the form by electronic means;

“College” means the Royal College of Veterinary Surgeons;

“Council” means the Council of the College;

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

“document” includes a document produced as a result of facsimile transmission and a hard copy of an electronic mail transmission;

“fee year” means the period running from 1st April to the next following 31st March;

“notify” includes making a communication by electronic means;

“practise or practising” means undertaking acts of veterinary surgery as defined in section 27(1) of the Act or otherwise engaging in any activity which is, in the opinion of the Council, veterinary-related;

“quarters” for the purposes of determining fees payable or sums to be refunded under these Regulations, shall be by reference to the quarters of the year beginning on the Quarter Days, 25 March, 24 June, 29 September and 25 December, as applicable;

“register” means the register of veterinary surgeons maintained under section 2 of the Act;

“register address” means the address given in the appropriate form or, where the address has been changed, as subsequently notified to the registrar;

“register qualification” means a qualification entitling a person to be registered in the register under sections 3, 4, 5A, 5B or 6 of the Act;

“registrar” means the registrar of the College;

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

“United Kingdom” means the geographic area comprising the United Kingdom, Channel Islands and the Isle of Man;

“veterinary practitioner” means a person registered in the supplementary veterinary register; and

“veterinary surgeon” means a person registered in the register.

(2) References in these Regulations to a numbered Regulation mean the regulation bearing that number in these Regulations, and references in these Regulations to “the Schedule” means the Schedule to these Regulations.

PART II

THE REGISTERS AND LISTS

3.—(1) In the register the general list, the Commonwealth list, and the foreign list shall contain the following particulars of each person registered therein—

(a) full name and any change of name since registration;

(b) register address and, where known, telephone number and electronic mail address;

(c) register qualification, name of college or university at which the qualification was obtained and date of admission to the register;

(d) other qualifications which the Council has authorised to be inserted in the register and which the applicant has requested shall be inserted; and

(e) register index number.

(2) The temporary list in the register shall contain the following particulars of each person registered therein—

- (a) full name and any change of name since registration;
- (b) register address in the United Kingdom and, where known, telephone number and electronic mail address;
- (c) qualification for temporary registration and date acquired (in the case of an applicant under section 7(1)(a) or section 7(4) of the Act the date of publication of the result of the examination leading to the degree or other qualification in veterinary surgery; in the case of an applicant under section 7(1)(b) of the Act the date of conferment of the degree or other qualification);
- (d) other qualifications which the Council has authorised to be inserted in the register and which the applicant has requested shall be inserted;
- (e) period of registration;
- (f) place or places at which veterinary surgery may be practised;
- (g) other conditions or restrictions relating to the practising of veterinary surgery;
- (h) the name of a responsible M/FRCVS; and
- (i) register index number.

(3) The supplementary veterinary register shall contain the following particulars of each person registered therein—

- (a) full name and any change of name since registration;
- (b) register address and, where known, telephone number and electronic mail address;
- (c) date of admission to the register;
- (d) in the case of a person registered under subsections 1(c) and (2) of section 8 of the Act, the particulars required to be entered in the supplementary veterinary register under section 8(3) of the Act; and
- (e) register index number.

4. The registrar shall have authority to refuse to make in or restore to the register any entry until the fees prescribed by these Regulations have been paid.

PART III

APPLICATIONS FOR REGISTRATION

5. An application to the Council for the inclusion of a name in the register shall be made on the appropriate form. An applicant for registration in the register shall produce or send to the registrar the document conferring or evidencing his qualification for registration and such other supporting evidence as the Council may require in a particular case to establish whether the applicant is entitled to be registered or not.

PART IV

TRANSFER FROM ONE LIST TO ANOTHER

6.—(1) An application for the transfer of a name from one list to another shall be made on the appropriate form;

(2) In the case of an application for transfer to the general, Commonwealth or foreign lists the applicant shall produce or send to the registrar the document conferring or evidencing his qualifications for registration in such list and such other supporting evidence as the Council may require in a particular case; and

(3) Where the Council is satisfied that the applicant is entitled to the transfer it shall direct the registrar to delete the name of the applicant from one register or list, as the case may be, and enter it in the other.

PART V

RETENTION OF A NAME AND REMOVAL FOR NON-PAYMENT OF FEES

7.—(1) Not later than 14th March in each year the registrar shall send to the register address of every veterinary surgeon and veterinary practitioner whose registration will expire on 31st March in the same year, and who has not at that date paid the retention fee, the appropriate notice for the retention of a name

in the register with the fee payable and a warning that failure to pay such fees entails removal from the register or supplementary veterinary register, as the case may be, of that person's name;

(2) Non-receipt of the notice by a veterinary surgeon or veterinary practitioner shall not affect the authority to remove a name from the register, nor shall it constitute a ground for retention or restoration without payment of the appropriate fee; and

(3) The notice shall also contain the data held by the College in respect of that person and request that the veterinary surgeon or veterinary practitioner concerned should send the registrar any correction to ensure that the data held is accurate.

8. Where the registrar has not received by 30th April of any year, from a veterinary surgeon or veterinary practitioner a retention fee due payment by 31st March in the same year he shall send a warning that failure to pay the fee by 29th May will result in the removal from the register or supplementary veterinary register of the name in relation to which the fee is due and if the fee is not received he shall, under the provisions of section 11(2) of the Act, remove the name from the register or the supplementary veterinary register.

PART VI

CHANGES IN PARTICULARS NOTIFIED TO THE COUNCIL

9. A veterinary surgeon or veterinary practitioner shall notify the registrar within one month of any of the following changes bearing on the particulars entered in the register or the supplementary veterinary register—

- (a) change of name; or
- (b) change of register address.

PART VII

CORRECTION OR REMOVAL OF AN ENTRY

10.—(1) When the registrar receives information from a veterinary surgeon or veterinary practitioner or otherwise that an entry in the register or the supplementary veterinary register is incorrect, or application is made by or on behalf of a veterinary surgeon or veterinary practitioner for an entry to be corrected, he shall make the required correction, if he is satisfied by means of a statutory declaration or otherwise that the information is true; and

(2) No charge shall be made for a correction under this regulation.

11. The registrar may remove from the register or the supplementary veterinary register the name of any veterinary surgeon or veterinary practitioner upon receipt of a written application by such surgeon or practitioner, or on his behalf, stating the grounds on which the application is made and accompanied by a declaration that the applicant is not aware of any reason for the institution of proceedings which may lead to the removal of the name under section 16 of the Act.

12. The registrar shall, subject to the provisions of sections 16(2) and 17(3) of the Act, remove from the register or the supplementary veterinary register, or suspend the registration of, the name of any veterinary surgeon or veterinary practitioner, where he receives a direction to that effect from the Disciplinary Committee under section 16 of the Act.

PART VIII

RESTORATION OF A NAME TO THE REGISTER OR THE SUPPLEMENTARY VETERINARY REGISTER

13.—(1) Where a name has been removed from the register or the supplementary veterinary register, under the provisions of section 11(2) of the Act and regulation 8—

- (a) it shall be restored on receipt of an application on the appropriate form if the veterinary surgeon or veterinary practitioner concerned pays the restoration fee specified in regulation 3 of the Schedule together with the appropriate retention fee due under regulation 2 of the Schedule in respect of the full fee year in which the restoration is to take place;
- (b) restoration shall take effect on the date of receipt of the appropriate form and fee;
- (c) in cases of repeated removal under the provisions of section 11(2) the restoration fee specified in regulation 3 of the Schedule shall be increased by one hundred percent for each time the applicant has been so removed; and

- (d) where the name of the applicant for restoration has not been included in the register or the supplementary veterinary register during one year immediately preceding the date of application, evidence establishing to the satisfaction of the registrar the applicant's identity and good character shall be required.
- (2) Where a name has been removed from the register or the supplementary veterinary register under the provisions of section 13(2) of the Act and regulation 11—
- (a) it shall be restored on receipt of an application on the appropriate form accompanied by the restoration fee specified in regulation 4 of the Schedule together with the appropriate proportion of the retention fee due under regulation 2 of the Schedule applicable (expressed in quarters of the fee) calculated by reference to the number of full quarters remaining in that fee year in respect of the fee year in which the restoration is to take place;
 - (b) restoration will take effect on the date of receipt of the appropriate form and fee; and
 - (c) where the name of the applicant for restoration has not been included in the register or the supplementary veterinary register during one year immediately preceding the date of application, evidence establishing to the satisfaction of the registrar the applicant's identity and good character shall be required.
- (3) Where a name has been removed or suspended from the register or the supplementary veterinary register under the provisions of section 16(2) of the Act and regulation 12—
- (a) it shall be restored in accordance with section 18 of the Act on receipt of the restoration fee specified in regulation 4 of the Schedule together with the appropriate proportion of the retention fee due under regulation 2 of the Schedule applicable (expressed in quarters of the fee) calculated by reference to the number of full quarters remaining in that fee year in respect of the fee year in which the restoration is to take place, unless restoration takes place in the same fee year it was removed or suspended when no additional payment is payable; and
 - (b) the date of restoration shall be the date of the written notification issued by the registrar.

PART IX

FEES PAYABLE BY VETERINARY SURGEONS AND VETERINARY PRACTITIONERS

14. A registration fee shall be charged for the entry of a name in the general list, Commonwealth list or foreign list and shall be paid at the time of application for registration and shall be of such amount as is specified in regulation 1 of the Schedule.

15.—(1) A retention fee is payable in the year of registration (in addition to the registration fee); and

(2) The retention fee shall be calculated by reference to the number of full quarters remaining of the fee year in which registration takes place (expressed in quarters of the appropriate retention fee prescribed by regulation 2 of the Schedule).

16. A retention fee shall be charged—

- (a) to a veterinary surgeon for the retention of his name in the general list, Commonwealth list or foreign list for each fee year following the year of registration; or
- (b) to a veterinary practitioner for the retention of his name in the supplementary veterinary register for each fee year following that in which his name is first entered in the supplementary veterinary register.

17. Subject to the provisions of regulations 18, 19 and 22, the retention fee for the retention of a name in the general list, Commonwealth list or foreign list, or in the supplementary veterinary register, shall be of such amount as is specified in regulation 2 of the Schedule and the whole fee shall be payable before the beginning of the fee year to which it relates.

18.—(1) A veterinary surgeon who has paid the relevant retention fee specified in regulation 2 of the Schedule on the basis that he has been practising outside the United Kingdom and who returns to do so in the United Kingdom shall pay an additional sum representing the difference between the retention fees which are applicable (expressed in quarters of the fee) calculated by reference to the number of full quarters remaining in that fee year.

(2) A veterinary surgeon who has paid the relevant retention fee specified in regulation 2 of the Schedule and who informs the registrar of his intention to practise outside the United Kingdom shall be entitled to a refund of a sum representing the difference between the retention fees which are applicable (expressed in quarters of the fee) calculated by reference to the number of full quarters remaining in that fee year.

(3) A veterinary surgeon who has paid the relevant retention fee specified in regulation 2 of the Schedule and who provides the registrar with a declaration to the effect that he is no longer practising shall be entitled to a refund of a sum representing the difference between the retention fees which are applicable (expressed in quarters of the fee) calculated by reference to the number of full quarters remaining in the fee year.

(4) A veterinary surgeon who has provided the registrar with a signed declaration that he is not practising and who subsequently notifies the registrar of his intention now to do so shall pay an additional sum representing the difference between the retention fees which are applicable (expressed in quarters of the fee) calculated by reference to the number of full quarters remaining in that fee year.

(5) A veterinary surgeon who is undertaking in the United Kingdom a full-time post-graduate degree course in a veterinary or allied subject, and who is required as part of the course to undertake acts of veterinary surgery, shall for a maximum of three years from the commencement of that course or for the actual duration of that course if this is shorter, pay the relevant retention fee specified in regulation 2(iv) of the Schedule.

19. The fees for restoration of a name to the general list, Commonwealth list or foreign list or to the supplementary veterinary register shall be of such amounts as are specified in the Schedule.

PART X

TEMPORARY REGISTRATION

20. The registration fee for entry in the temporary list shall be—

- (a) in the case of a person registered under section 7(1)(a) of the Act payment of the fees prescribed in regulations 14 and 15 for registration in the general list shall entitle him to registration in the general list if he so qualifies in the same fee year, without payment of a further registration fee; or
- (b) in the case of a person registered under section 7(1)(b) of the Act payment of the temporary registration fee specified in regulation 5 of the Schedule shall entitle him to the entry of his name in the temporary list for the period such registration is granted or for one calendar year, whichever is the shorter. A further fee shall be payable by him for each subsequent calendar year he remains on the list, but this shall not in any case exceed the temporary registration fee specified in regulation 5 of the Schedule.

PART XI

PROVISIONS RELATING TO THE REPUBLIC OF IRELAND

21. A veterinary surgeon who resides within the Republic of Ireland shall pay no retention fee to the Council unless he—

- (a) is a member of the College; and
- (b) wishes to retain his right to vote in Council elections under the provisions of the Veterinary Surgeons (Agreement with the Republic of Ireland) Order 1988.

PART XII

PROVISIONS RELATING TO THE PAYMENT OF FEES

22. Payment of any fee due under these regulations may be made by any method acceptable to the Council, including payment by electronic means, provided that where a member or other registrant pays by credit card an administrative charge of 3% of the fee to be paid, or such other amount or proportion as may be determined by the Council from time to time, shall be payable in addition to the relevant amount of the relevant fee specified in the Schedule.

23.—(1) Any veterinary surgeon who wishes to benefit from the reduced fee set out in regulation 2(iii) of the Schedule shall provide the Registrar with a signed declaration to the effect that they are not practising.

(2) That person's circumstances must fall into one or more of the categories approved by the Council from time to time.

PART XIII

REVOCATION OF PREVIOUS REGULATIONS

24. The Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations 2003 and the Veterinary Practitioners (Registration) (Amendment) Regulations 2004 are revoked.

PURSUANT to a resolution passed at a meeting of the Council of the Royal College of Veterinary Surgeons on 2nd June 2005, the Common Seal of the said Royal College was affixed hereto on the said 2nd June 2005 in the presence of:—



President
John Parker

Members of Council
R P Moore
Professor R E W Halliwell
J S Ware

SCHEDULE

TABLE OF FEES PAYABLE

<i>Regulation</i>	<i>Amount Payable</i>
1. Regulation 14 (Registration Fee)	£66 (Previous £61)
2. Regulation 16 (Retention Fee)	
i. for a veterinary surgeon practising in the United Kingdom unless (iii) below applies	£264 (Previous £244)
ii. for a veterinary surgeon practising outside the United Kingdom unless (iii) below applies	£132 (Previous £122)
iii. for any other veterinary surgeon who has provided the registrar with a declaration in accordance with regulation 23	£43 (Previous £40)
iv. for a veterinary surgeon who is undertaking in the United Kingdom a full-time post-graduate degree course in a veterinary or allied subject, and who is required as part of the course to undertake acts of veterinary surgery	£132 (Previous £122)
v. for any other veterinary surgeon who has provided the registrar with a declaration in accordance with regulation 23 and is over the age of 70 at the 1st April	£0 (Previous £40)
vi. for a person registered in the supplementary veterinary register under section 6 of the Veterinary Surgeons Act 1948	£27
vii. for a person registered in the supplementary veterinary register under section 8 of the Act	£13
3. Regulation 13(1) (Restoration to register—removed under section 11(2) of the Act):	
i. veterinary surgeon	£264 (Previous £122)
ii. supplementary veterinary register	£15
4. Regulations 13(2) and 13(3) (Restoration—removed under sections 13(2) or 16(2) of the Act):	
i. veterinary surgeon	£132 (Previous £122)
ii. supplementary veterinary register	£15
5. Regulation 20 (Temporary registration)	
i. for a veterinary surgeon undergoing a course of study of six months' duration or less, arranged by a veterinary practice or group of such practices, for the purpose of improving clinical skills, and where the veterinary surgeon concerned is a national of a developing country which is included in a list approved by the Council	£138 (Previous £129)
ii. in all other cases	£279 (Previous £258)

EXPLANATORY NOTE

(This note is not part of the Order)

This Order approves the Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations 2005 (“the Regulations”) made by the Council of the Royal College of Veterinary Surgeons (“the RCVS”) under section 11 of the Veterinary Surgeons Act 1966. The new Regulations revoke the Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations 2003 and the Veterinary Practitioners (Registration) (Amendment) Regulations 2004 and replace them with the Regulations set out in the Schedule. This Order revokes the Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations Order of Council 2003 and the Veterinary Surgeons and Veterinary Practitioners (Registration) (Amendment) Regulations Order of Council 2004. It comes into force on 1st April 2006.

The new Regulations give effect to an increase in fees payable for annual registration and retention of names on the registers of the RCVS as set out in the Schedule (Table of Fees Payable). The increase in fees for all categories of membership is 8% with the exception of the fee payable for restoration of a name to the register. The fee payable following a member’s removal for non-payment is increased by 46%.

The Regulations make provision for restoration of a person’s name to the registers, where it has been removed or suspended under section 16(2) of the Act. The same fee applies to such a person as applies to a person whose name has been removed under section 13(2) of the Act. A separate fee is charged to a person whose name has been removed under Regulation 13(1) of the Act (as set out in the Schedule (Table of Fees Payable)).

In cases of repeated removal, the restoration fee payable increases by 100% each time the applicant reapplies for restoration to the register(s).

Non-inclusion of a name in the register for more than a year (rather than the previous 5 year time period) requires the person to submit evidence of their good character for restoration to take effect.

Non-practising members over the age of 70 no longer have to pay a retention fee.

A regulatory impact assessment has not been produced for this Instrument.

£3.00

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