STATUTORY INSTRUMENTS

2018 No. 559

REGULATORY REFORM
VETERINARY SURGEONS

The Legislative Reform (Constitution of the Council of the Royal College of Veterinary Surgeons) Order 2018

Made - - - - 2nd May 2018

Coming into force in accordance with article 1

The Secretary of State makes this Order in exercise of the powers conferred by sections 1 and 2 of the Legislative and Regulatory Reform Act 2006(**1**).

For the purposes of section 3(1) of that Act, the Secretary of State considers that the conditions under section 3(2) of that Act, where relevant, are satisfied.

The Secretary of State has consulted in accordance with section 13(1) of that Act.

The Secretary of State has laid a draft Order and an explanatory document before Parliament in accordance with section 14(1) of that Act.

Pursuant to section 15 of that Act, the affirmative resolution procedure (within the meaning given by section 17 of that Act) applies in relation to the making of the Order.

In accordance with section 17(2) of that Act, the draft Order has been approved by resolution of each House of Parliament after the expiry of the 40-day period referred to in that provision.

PART 1

PRELIMINARY

Citation and commencement

1.—(1) This Order may be cited as the Legislative Reform (Constitution of the Council of the Royal College of Veterinary Surgeons) Order 2018.

(2) This Part and Part 2 come into force on 1st July 2018.

(3) Part 3 comes into force on 1st July 2019.

(4) Part 4 comes into force on 1st July 2020.

(**1**) 2006 c. 51. Section 1(6) was amended by S.I. 2007/1388. See section 32 for the definition of "Minister of the Crown".

(5) Part 5 comes into force on 1st July 2021.

Interpretation

2. In this Order, "the 1966 Act" means the Veterinary Surgeons Act 1966(**2**).

PART 2

AMENDMENTS TO THE 1966 ACT COMING INTO FORCE ON 1ST JULY 2018

Amendments to section 1 of the 1966 Act

3.—(1) Section 1 of the 1966 Act (the Council of the Royal College of Veterinary Surgeons) is amended as follows.

(2) In subsection (1)(a), for "twenty-four" substitute "twenty-one".

(3) Omit subsection (1)(b).

(4) In subsection (1)(c)—

(a) for "two persons" substitute "one person";

(b) omit "of whom at least one shall be a member of the College".

(5) After subsection (1)(c) insert—

"(d) two registered veterinary nurses appointed by the Veterinary Nurses' Council(**3**);

(e) six lay persons appointed by the Council, having had regard to the recommendations of the committee advising the Council for that purpose.".

(6) After subsection (3) insert—

"(3A) In this section and in Schedule 1—

"lay person" means an individual who is not, and has never been, registered or entitled to be registered in—

(a) the register;

(b) the supplementary veterinary register; or

(c) the veterinary nurses register;

"registered veterinary nurse" means a person whose name appears on the veterinary nurses register;

"veterinary nurses register" means the register of veterinary nurses kept by the College under article 12 of the Supplemental Royal Charter of the College dated 17th February 2015.".

Amendments to Schedule 1 to the 1966 Act

4.—(1) Schedule 1 to the 1966 Act (provisions as to the Council) is amended as follows.

(2) In paragraph 1(1), for "the day on which a member of the Council ordinarily retires shall be the day of" substitute "a member of the Council ordinarily retires at the beginning of".

(3) In paragraph 2, for "paragraph 3, 4 or 5" substitute "any of paragraphs 3 to 5".

(**2**) 1966 c. 36.

(**3**) The Veterinary Nurses' Council replaced the Veterinary Nurses Committee in 2002. See www.rcvs.org.uk/about-us/vn-council and the RCVS Supplemental Charter granted on 17 February 2015: www.rcvs.org.uk/document-library/supplemental-royal-charter-2015/.

(4) After paragraph 3 insert—

"**3A.**—(1) A member of the Council may be removed from office if the member fails to satisfy any conditions about fitness to be a member that are determined by the Council.

(2) The procedure for removal of a member from office is to be determined by the Council.".

(5) For paragraph 4 substitute—

"**4.** An elected member of the Council ceases to hold office if the member ceases to be a member of the College.".

(6) After paragraph 4 insert—

"**4A.** A member of the Council appointed by virtue of section 1(1)(d) ceases to hold office if the member ceases to be a registered veterinary nurse.

4B. A member of the Council appointed by virtue of section 1(1)(e) ceases to hold office if the member ceases to be a lay person.".

(7) In paragraph 7—

(a) after sub-paragraph (1) insert—

"(1A) Where a casual vacancy occurs as respects the member of the Council appointed by a university, the vacancy shall be filled by that university.

(1B) Where a casual vacancy occurs among the registered veterinary nurse members of the Council, the vacancy shall be filled by the appointment of a registered veterinary nurse by the Veterinary Nurses' Council.

(1C) Where a casual vacancy occurs among the members of the Council who are lay persons, the vacancy shall be filled by the appointment by the Council of a lay person, having regard to the recommendations of the committee referred to in section 1(1)(e).";

(b) omit sub-paragraph (2);

(c) in sub-paragraph (4), omit "elected".

(8) For paragraph 8 substitute—

"**8.**—(1) A person ceasing to be a member of the Council or President or Vice-President of the College is, subject to sub-paragraphs (2) and (3), eligible to be re-elected or re-appointed.

(2) A person ceasing to be a member of the Council at the end of a third consecutive term of office is not eligible to be re-elected or re-appointed until after the first annual general meeting of the College following the day on which the third consecutive term of office ended.

(3) A person (A) who has been removed from office by virtue of paragraph 3A is not eligible to be re-elected or re-appointed until after the first annual general meeting of the College following the day on which A was removed from office.".

(9) At the end insert—

"**14.** The Chief Veterinary Officer for the United Kingdom—

(a) is entitled to attend meetings of the Council; but

(b) must not address the Council unless he or she is invited to do so by the chair of the meeting.".