Draft Order laid before Parliament under section 19(5) of the Veterinary Surgeons Act 1966 for approval by resolution of each House of Parliament

DRAFT STATUTORY INSTRUMENTS

2002 No.

VETERINARY SURGEONS

The Veterinary Surgeons Act 1966 (Schedule 3 Amendment) Order 2002

Made - - - -	*2002*
Coming into force - -	*10th June 2002*

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland, the Secretary of State for Wales and the Minister of Agriculture and Rural Development for Northern Ireland, acting jointly, in exercise of the powers conferred by section 19(5) of the Veterinary Surgeons Act 1966(**1**) and now vested in them(**2**) and of all other powers enabling them in that behalf, after consultation in accordance with the said section 19(5) with the Council of the Royal College of Veterinary Surgeons and with persons appearing to them to represent interests appearing to be substantially affected, hereby make the following Order, of which a draft has been approved by a resolution of each House of Parliament:

Title and commencement

1. This Order may be cited as the Veterinary Surgeons Act 1966 (Schedule 3 Amendment) Order 2002 and shall come into force on 10th June 2002.

Amendment

2. Part I of Schedule 3 to the Veterinary Surgeons Act 1966 (exemptions from restrictions on practice of veterinary surgery)(**3**) shall be amended as follows—

(a) for paragraph 6(**4**) there shall be substituted the following paragraph—

(**1**) 1966 c. 36; "the Ministers" referred to in section 19(5) are defined in section 27(1) as amended by paragraph 1 of Schedule 5 to S.I.1978/272.
(**2**) In the case of the Department of Agriculture for Northern Ireland, by virtue of section 40 and of paragraph 7(1) of Schedule 5 to the Northern Ireland Constitution Act 1973 (c. 36) and section 1(3) of and paragraph 2(1)(b) of Schedule 1 to, the Northern Ireland Act 1974 (c. 28).
(**3**) Schedule 3 was substituted by S.I. 1988/526.
(**4**) Paragraph 6 was substituted by the Veterinary Surgeons Act 1966 (Schedule 3 Amendment) Order 1991, S.I. 1991/1412.

"**6.** Any medical treatment or any minor surgery (not involving entry into a body cavity) to any animal by a veterinary nurse if the following conditions are complied with, that is to say—

(a) the animal is, for the time being, under the care of a registered veterinary surgeon or veterinary practitioner and the medical treatment or minor surgery is carried out by the veterinary nurse at his direction;

(b) the registered veterinary surgeon or veterinary practitioner is the employer or is acting on behalf of the employer of the veterinary nurse; and

(c) the registered veterinary surgeon or veterinary practitioner directing the medical treatment or minor surgery is satisfied that the veterinary nurse is qualified to carry out the treatment or surgery.

In this paragraph and in paragraph 7 below—

"veterinary nurse" means a nurse whose name is entered in the list of veterinary nurses maintained by the College.".

(b) after paragraph 6 there shall be added the following paragraph—

"**7.** Any medical treatment or any minor surgery (not involving entry into a body cavity) to any animal by a student veterinary nurse if the following conditions are complied with, that is to say—

(a) the animal is, for the time being, under the care of a registered veterinary surgeon or veterinary practitioner and the medical treatment or minor surgery is carried out by the student veterinary nurse at his direction and in the course of the student veterinary nurse's training;

(b) the treatment or surgery is supervised by a registered veterinary surgeon, veterinary practitioner or veterinary nurse and, in the case of surgery, the supervision is direct, continuous and personal; and

(c) the registered veterinary surgeon or veterinary practitioner is the employer or is acting on behalf of the employer of the student veterinary nurse.

In this paragraph—

"student veterinary nurse" means a person enrolled under bye-laws made by the Council for the purpose of undergoing training as a veterinary nurse at an approved training and assessment centre or a veterinary practice approved by such a centre;

"approved training and assessment centre" means a centre approved by the Council for the purpose of training and assessing student veterinary nurses."

Parliamentary Under-Secretary of State,
Department for Environment, Food and Rural
2002 Affairs

2002 Secretary of State, Scotland Office