CHAPTER 52.

An Act to make further provision for the teaching of veterinary surgery and for restricting the practice thereof by unqualified persons; to alter the constitution of the Royal College of Veterinary Surgeons and of the Council of that College and otherwise to amend the law relating to veterinary surgeons; to exempt persons practising veterinary surgery from service on juries; and for purposes connected with the matters aforesaid.

[30th July 1948.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

PROVISIONS AS TO TRAINING IN VETERINARY SURGERY.

Holders of certain university degrees to be qualified veterinary surgeons.

1. Where—

(*a*) a university in the United Kingdom provides courses of study and examinations leading to a veterinary degree, and

(*b*) it appears to the Privy Council, after consultation with the Council of the Royal College of Veterinary Surgeons, 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 direct that any person on whom the degree is conferred during the continuance in force of the order shall thereby be qualified to be a member of the Royal

College of Veterinary Surgeons, and any such person shall, on application in the prescribed manner and on payment of the prescribed fee, be registered in the Register of Veterinary Surgeons and become a member of the Royal College of Veterinary Surgeons accordingly.

Revocation and suspension of orders under s. 1.

2.—(1) If where an order under the foregoing section is in force it appears to the Council of the Royal College of Veterinary Surgeons 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 said Council may make representations to that effect to the Privy Council.

(2) 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 thereon or objections thereto.

(3) The Privy Council shall consider any representations made under this section, and any observations thereon or objections thereto made by the university in question within such time not less than one month 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 order under the last foregoing section.

(4) An order under the last foregoing subsection for the suspension of an order under section one of this Act 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 said College or by the university in question that the order under section one should be revived.

Examination by Royal College of Veterinary Surgeons of students of certain universities. 44 & 45 Vict. c. 62.

3.—(1) On the application of any university in the United Kingdom, not being a university in the case of which an order is for the time being in force under section one of this Act, the Privy Council may after consultation with the Council of the Royal College of Veterinary Surgeons direct that section four of the Veterinary Surgeons Act, 1881 (which requires that College to make provision for the examination of the students specified in that section and for their admission and registration if they pass the examination) shall apply to students in the university of such descriptions as may be specified in the direction.

(2) A direction under the last foregoing subsection shall cease to have effect on the coming into force of an order under section one of this Act, or may be revoked by a subsequent direction of

the Privy Council made after consultation with the university in question and with the Council of the Royal College of Veterinary Surgeons.

(3) If and when any of the colleges referred to in the said section four has become part of a university, then so long as an order under section one of this Act is in force in the case of the university the said section four shall not apply to students of the college except such as became students thereof before the coming into force of the order.

Supervisory functions of Council of College.

4.—(1) The following provisions of this section shall have effect for the purpose of securing that the courses of study to be followed by candidates for admission to the Royal College of Veterinary Surgeons, whether in pursuance of this Act or otherwise, and the standard of proficiency required for admission thereto, shall be such as sufficiently to guarantee that persons admitted to the College will have acquired the knowledge and skill needed for the efficient practice of veterinary surgery; and it shall be the duty of the Council of the College to exercise the powers conferred on them by the said provisions so far as is necessary for the purpose aforesaid.

(2) The said Council shall have power to appoint persons to visit the universities in the case of which orders under section one of this Act are for the time being in force, and any other universities or colleges which for the time being provide courses leading to examination by the Royal College of Veterinary Surgeons, and to report upon 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 said Council may appoint persons to attend at examinations leading to a degree in the case of which an order under section one of this Act is for the time being in force, 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 that nothing in this subsection shall authorise a person appointed thereunder to interfere with the conduct of any examination.

(4) On receipt of any report made under this section—

(*a*) the Council shall send a copy thereof to the university or college concerned;

(*b*) the university or college may within one month of the receipt of the copy make to the Council observations on the report or objections thereto;

(*c*) as soon as may be after the expiration of the said month the Council shall send a copy of the report and of any observations thereon or objections thereto duly made, together with the Council's comments on the report and on any such observations or objections, to the Minister of Agriculture and Fisheries, the Secretary of State or the Minister of Agriculture for Northern Ireland, according as the university or college in question is in England or Wales, Scotland or Northern Ireland.

(5) Every university in the case of which an order under section one of this Act is for the time being in force shall, on a request in writing in that behalf made by the Council of the Royal College of Veterinary Surgeons, 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 order relates.

RESTRICTION OF PRACTICE OF VETERINARY SURGERY BY UNQUALIFIED PERSONS.

Restriction of practice of veterinary surgery by unqualified persons.

5.—(1) Subject to the provisions of section seven of this Act, no person shall practise, or hold himself out as practising or as being prepared to practise, veterinary surgery unless he is—

(*a*) registered in the Register of Veterinary Surgeons, or

(*b*) registered in the Supplementary Veterinary Register kept in accordance with the next following section.

(2) The expression "veterinary surgery" in the last foregoing subsection shall not include—

(*a*) the doing of anything specified in Part I of the First Schedule to this Act and not excluded by Part II of that Schedule;

(*b*) any minor treatment, test or operation specified by order of the Ministers under this paragraph made after consultation with the Council of the Royal College of Veterinary Surgeons, so long as any conditions specified in the order are complied with.

In this section the expression "the Ministers" means the Minister of Agriculture and Fisheries, the Secretary of State and the Minister of Agriculture for Northern Ireland acting jointly.

(3) Any order of the Ministers made under paragraph (*b*) of the last foregoing subsection may be varied or revoked by a subsequent order of the Ministers made after the like consultation.

(4) Any person who contravenes the provisions of this section shall be guilty of an offence and liable to a fine not exceeding one hundred pounds:

Provided that in any proceedings under this subsection it shall be a defence to prove that before the coming into operation of this section the defendant had duly applied for registration in the Supplementary Veterinary Register and that he had not at the time of the contravention been notified that his application had been refused.

(5) In the application of this section to Scotland the expression " defendant " means an accused person.

(6) This section shall come into operation on the expiration of one year from the commencement of this Act or, if His Majesty by Order in Council so directs, on the expiration of such longer period from the commencement of this Act not exceeding three years as may be specified in the Order.

Supplementary Veterinary Register.

6.—(1) The Registrar of the Royal College of Veterinary Surgeons shall keep a separate register, to be known as the Supplementary Veterinary Register, and any person who makes application in that behalf in accordance with the following provisions of this section shall be entitled, subject to the provisions of this section, to be registered in that Register if he satisfies the conditions specified in the next following subsection.

(2) The conditions for registration in the Supplementary Veterinary Register are that the applicant has attained the age of twenty-eight and satisfies the Council of the Royal College of Veterinary Surgeons—

(*a*) that he is of good personal character ;

(*b*) that during the ten years immediately preceding the application he has for a period of not less than seven years in the aggregate been engaged in the United Kingdom as his principal means of livelihood in diagnosing diseases of animals and giving medical or surgical treatment to animals :

Provided that the Council may authorise the registration of a person under this section who has been engaged as aforesaid during the said ten years notwithstanding that he has been so engaged for less than seven years in the aggregate if the Council are satisfied that the time during which he was so engaged was reduced by reason of his serving in His Majesty's forces or being engaged in work of national importance and that his registration would not be prejudicial to the public interest.

(3) Notwithstanding anything in the foregoing provisions of this section, where on an application thereunder it appears to the Council that the applicant was during the relevant period engaged as his principal means of livelihood wholly or mainly in the giving of treatment or the performing of operations specified in the First Schedule to this Act, the Council may refuse the application.

(4) Any application for registration under this section shall be made before the coming into operation of the last foregoing section, and shall be in the prescribed form and accompanied by such fee not exceeding one guinea as may be prescribed:

Provided that where it appears to the Council that a person has for sufficient reason failed to make application before the coming into operation of that section, the Council may direct that he shall be entitled to apply within such period as may be specified in the direction.

(5) Where the Council refuse an application for registration under this section made within the time limited by or under the last foregoing subsection, they shall state the reason for the refusal and the applicant may in accordance with rules of court appeal to the High Court, and the High Court may confirm or reverse the decision of the Council.

Any order of the High Court under this subsection shall be final.

(6) The following provisions of the Veterinary Surgeons Act, 1881, relating to the Register of Veterinary Surgeons, that is to say—

(*a*) subsection (2) of section three,
(*b*) section five,
(*c*) section nine,
(*d*) section ten, and
(*e*) section twelve,

shall apply to the Supplementary Veterinary Register as they apply to the Register of Veterinary Surgeons.

(7) In the application of this section to Scotland for the reference to the High Court there shall be substituted a reference to the Court of Session.

(8) In the application of this section to Northern Ireland for the reference to the High Court there shall be substituted a reference to the High Court of Justice in Northern Ireland, and for the reference to rules of court there shall be substituted a reference to rules made under section sixty-one of the Supreme Court of Judicature (Ireland) Act, 1877.

40 & 41 Vict. c. 57.

Licensing of employees of animal welfare societies.

7.—(1) Where, on the representation of a society or institution which—

(*a*) is wholly supported by voluntary contributions or endowments or both, and
(*b*) provides, and was immediately before the coming into operation of this Act providing, free medical or surgical treatment for animals.

the Minister of Agriculture and Fisheries is satisfied that the society or institution cannot obtain the services of an adequate

number of veterinary surgeons the Minister may, if he thinks fit, grant a licence under this section to any person employed or to be employed by the society or institution.

(2) Notwithstanding anything in section five of this Act, during the continuance in force of a licence under this section the holder thereof may in the course of his employment by the society or institution on whose representation the licence was granted, and subject to any conditions specified in the licence, give such medical or other treatment or for the relief of pain perform such minor operations as may be authorised by the licence.

(3) It shall be a condition of the granting of a licence under this section that the society or institution in question undertakes not to employ the holder thereof in treating or operating on any animal unless its owner appears to the society or institution to be unable to afford the services of a veterinary surgeon.

(4) If it appears to the said Minister that the society or institution has acted in contravention of the undertaking given in pursuance of the last foregoing subsection or that the person to whom the licence has been granted has failed to comply with any condition specified therein or has given any treatment or carried out any operation not authorised by or under subsection (2) of section five of this Act or subsection (2) of this section, the Minister may, after giving both the holder of the licence and the society or institution in question an opportunity of being heard, revoke the licence or suspend it for such period as the Minister thinks fit.

(5) This section shall not extend to Northern Ireland.

Use of descriptions as to professional status.

8.—(1) The following provisions of this section shall have effect in substitution for the provisions of section seventeen of the Veterinary Surgeons Act, 1881, and section four of the Veterinary Surgeons Act (1881) Amendment Act, 1920.

10 & 11 Geo. 5. c. 20.

(2) If any person who is not for the time being registered in the Register of Veterinary Surgeons takes or uses the title of veterinary surgeon or any name, title, addition, or description calculated to lead to the belief that he is registered in that Register, he shall be guilty of an offence.

(3) If any person who is not for the time being registered in the Register of Veterinary Surgeons or in the Supplementary Veterinary Register takes or uses the title of veterinary practitioner or any name, title, addition, or description calculated to lead to the belief that he is a practitioner of, or qualified to practise, veterinary surgery to any greater extent than is authorised by or under subsection (2) of section five of this Act or by a licence under the last foregoing section, he shall be guilty of an offence.

(4) Without prejudice, in the case of an individual, to the foregoing provisions of this section, if any person uses any description in connection with any business carried on by him or any premises at which such a business is carried on, being in either case a description calculated to lead to the belief that he or any person acting for the purposes of the business possesses any veterinary qualifications which he does not in fact possess, he shall be guilty of an offence.

(5) Any person guilty of an offence under this section shall be liable to a fine not exceeding one hundred pounds.

CONSTITUTION OF COUNCIL OF ROYAL COLLEGE OF VETERINARY SURGEONS.

Reconstitution of Council of Royal College of Veterinary Surgeons.

9.—(1) At the first annual general meeting of the Royal College of Veterinary Surgeons held after the commencement of this Act the existing members of the Council of that College shall vacate office, and as from that meeting the Council shall be reconstituted in accordance with the following provisions of this Act in that behalf.

(2) Subject to the transitional provisions and the provisions relating to Eire hereinafter contained, the Council shall consist of the following persons, that is to say—

(*a*) twenty persons, being members of the Royal College of Veterinary Surgeons, elected in the manner provided by the Charters by members of the College residing outside Eire;

(*b*) four persons appointed by the Privy Council;

(*c*) for each university in the United Kingdom in the case of which an order is for the time being in force under section one of this Act, two persons appointed by that university of whom at least one shall be a member of the Royal College of Veterinary Surgeons.

(3) The Council shall have power to act notwithstanding any vacancy among its members, whether arising from a failure to appoint or elect any of its members or otherwise.

(4) Notwithstanding anything in any Charter a person shall be capable of being elected or appointed to be a member of the said Council notwithstanding that he is an Examiner of the Royal College of Veterinary Surgeons.

(5) A person shall not be disqualified for being elected or appointed to be a member of the said Council by reason only of holding or having already held office as such a member.

(6) Any member of the said Council, whether elected or appointed, shall be capable of being elected President or Vice-President of the Council.

Term of office of members of Council and filling of casual vacancies.

10.—(1) Subject to the provisions of this Act, the term of office of any member of the said Council, whether elected or appointed, shall be four years :

Provided that where, otherwise than by reason of a casual vacancy, the term of office of an appointed member begins between two annual general meetings of the Council, the term shall expire at the fourth annual general meeting after it began.

(2) An appointed member of the said Council may be removed from office by the persons by whom he was appointed—

(*a*) if he is unable to perform his duties ; or

(*b*) if he has been adjudged bankrupt or sequestration of his estate has been awarded or if he has made a composition or arrangement with his creditors ; or

(*c*) if he is otherwise unsuited to continue to discharge his duties.

(3) If the power of any university under paragraph (*c*) of subsection (2) of the last foregoing section to appoint a member of the Council ceases to become exercisable, any member appointed by that university shall thereupon cease to hold office.

(4) Subject to the transitional provisions and the provisions relating to Eire hereinafter contained, casual vacancies among the members of the said Council shall be filled as follows, that is to say—

(*a*) in the case of the elected members, casual vacancies may be filled in the manner, and persons filling such vacancies shall hold office for the term, provided by the Charters ;

(*b*) in the case of appointed members, casual vacancies may be filled by appointment by the persons by whom the member whose place has become vacant was appointed, and the term of office of a member appointed under this paragraph shall expire at the time at which the term of office of the member in whose place he was appointed would have expired.

Transitional provisions as to elected members of Council.

11.—(1) The following provisions of this section shall have effect as respects the members of the said Council elected at the first annual general meeting of the Royal College of Veterinary Surgeons held after the commencement of this Act.

(2) Of the members elected under paragraph (*a*) of subsection (2) of section nine of this Act, the term of office of the five who received the lowest number of votes shall be one year only, the term of office of the five who received the next lowest number of votes shall be two years only, and the term of office of the five who received the next lowest number of votes shall be three years only.

(3) Of any two of the said members who may receive an equal number of votes, that one of them whose name was first entered on the Register of Veterinary Surgeons shall be deemed for the purposes of this section to have received the higher number.

Transitional provisions as to members of Council appointed by universities and colleges.

12.—(1) Subject to the provisions of this section, the universities of Bristol, Cambridge, Edinburgh, Glasgow, Liverpool and London may appoint persons to be members of the Council of the Royal College of Veterinary Surgeons notwithstanding that no order under section one of this Act has come into operation.

(2) The number of persons who may be appointed under this section by the University of Liverpool shall be two, and the number of persons who may be appointed thereunder by each of the other said universities shall be one until the relevant condition is fulfilled, and thereafter two.

(3) In the case of the universities of Bristol, Cambridge and Glasgow, the relevant condition is that the university establishes qualifying courses in veterinary surgery.

(4) In the case of the University of Edinburgh, the relevant condition is that the connected Veterinary College becomes part of the university.

(5) In the case of the University of London, the relevant condition is that the connected Veterinary College becomes a school of the university.

(6) So long as the relevant condition is not fulfilled in the case of any of the universities of Edinburgh, Glasgow or London, the connected Veterinary College may appoint one person, being a member of the Royal College of Veterinary Surgeons, to be a member of the said Council; but any member appointed by the College under this subsection shall cease to hold office on the university becoming entitled to appoint two members.

(7) On an order under section one of this Act coming into operation in the case of any of the universities specified in subsection (1) of this section, any member of the said Council previously appointed by that university and then holding office shall continue to hold office as if he had been appointed under paragraph (*c*) of subsection (2) of section nine of this Act, but nothing in this subsection shall be construed as extending his term of office.

(8) Where under this section a university has power to appoint two members of the said Council, at least one of the persons appointed shall be a member of the Royal College of Veterinary Surgeons.

(9) Notwithstanding anything in the foregoing provisions of this section, if within five years from the commencement of this Act any university mentioned in this section which does not at the commencement of this Act provide qualifying courses in veterinary surgery fails to establish such courses, or if any of the universities or colleges mentioned in this section which for the time being provide qualifying courses in veterinary surgery ceases to provide such courses, any power of the university or

college in question to appoint members of the said Council under this section shall cease and any such member so appointed by them shall forthwith cease to hold office.

(10) In this section—

the expression "connected Veterinary College" means, in relation to the University of Edinburgh the Royal (Dick) Veterinary College, in relation to the University of Glasgow the Glasgow Veterinary College, and in relation to the University of London the Royal Veterinary College, London;

the expression "qualifying courses in veterinary surgery" means courses of a description designed to secure that persons who have satisfactorily completed the courses will have acquired the knowledge and skill needed for the efficient practice of veterinary surgery.

DISCIPLINARY POWERS OF COUNCIL OF ROYAL COLLEGE OF VETERINARY SURGEONS.

Amendment of provisions as to removal of names from Register.

13. As from the first annual general meeting of the Royal College of Veterinary Surgeons held after the commencement of this Act, sections seven and eight of the Veterinary Surgeons Act, 1881 (which relate to the removal of names from the Register of Veterinary Surgeons and the restoration of names to that Register) are hereby repealed, and the provisions of the five next following sections shall have effect in lieu thereof.

Disciplinary Committee.

14.—(1) The Council of the Royal College of Veterinary Surgeons shall exercise their powers relating to the removal of names from the Register of Veterinary Surgeons, and the restoration of names thereto, through a committee (to be known as the Disciplinary Committee) constituted in accordance with the following provisions of this section.

(2) The Disciplinary Committee shall consist of a chairman appointed by the Council and of eight other members so appointed.

(3) A person shall not be qualified to be a member of the Disciplinary Committee unless he is a member of the Council.

(4) Not less than four members of the Disciplinary Committee shall be elected members of the Council, and not less than one member of the Disciplinary Committee shall be a member of the Council appointed by the Privy Council.

(5) The members of the Disciplinary Committee shall hold office for such term as may be prescribed.

Proceedings of Disciplinary Committee.

15.—(1) Before exercising the power of removing the name of a person from the Register of Veterinary Surgeons the Disciplinary Committee shall hold an inquiry and shall afford the person concerned an opportunity of being heard, either in person or by counsel or a solicitor:

Provided that nothing in this subsection shall require or authorise the Disciplinary Committee to investigate any facts where under the Agreement set out in the Schedule to the 22 & 23 Geo. 5. c. 10. Veterinary Surgeons (Irish Free State Agreement) Act, 1932, a report made by the Eire Veterinary Council to the Council of the Royal College of Veterinary Surgeons is conclusive as to those facts.

(2) The quorum of the Disciplinary Committee shall be five.

(3) In the absence of the chairman of the Committee the members present shall elect one of their number to act as chairman.

(4) If on any question the votes of the Committee are equally divided the chairman or acting chairman shall have a second or casting vote.

(5) For the purpose of proceedings before the Committee the Committee may administer oaths and the parties to any such proceedings may sue out writs of subpoena ad testificandum and duces tecum.

(6) Subject to the foregoing provisions of this section, and to the provisions of any rules as to procedure made by the Council of the Royal College of Veterinary Surgeons, the Disciplinary Committee shall have power to regulate their own procedure.

Suspension of registration.

16. The power to remove the name of a person from the Register of Veterinary Surgeons shall include a power exercisable in the like manner by order to direct that during such period as may be specified in the order the registration of his name in that Register shall not have effect.

Effect of removal or suspension.

17.—(1) Where the name of any person has been removed from the Register, the name of that person shall not, subject to the provisions of this Act, be again entered in the Register except by order of the Disciplinary Committee under this section.

(2) Where an order has been made for the removal of a person's name from the Register, or suspending the effect of a person's registration thereunder, the Disciplinary Committee may, either of their own motion or on the application of the person concerned, and in either case after holding such inquiry (if any) as the Committee think fit, cause the name of that person to be restored to the Register or terminate the suspension, as the case may be, either without fee or on payment of such fee, not exceeding the registration fee, as the Committee may determine.

(3) Subsection (1) of this section shall not apply where a person's name has been removed from the Register at his request or with his consent in circumstances in which it could not have been removed without his consent, and the name of such a

person shall, on his application, be restored to the Register on payment of such fee, not exceeding the registration fee, as the Council of the Royal College of Veterinary Surgeons may from time to time determine.

Appeal to High Court against disciplinary action.

18.—(1) Any person aggrieved by the removal of his name from the Register of Veterinary Surgeons, by the suspension of the effect of his registration in that Register or by the period of any such suspension, or by a refusal to restore his name to that Register, may in accordance with rules of court appeal to the High Court.

(2) On any such appeal the Court may give such directions in the matter as they think proper, and any order of the Court under this section shall be final.

(3) In the application of this section to Scotland for the reference to the High Court there shall be substituted a reference to the Court of Session.

(4) In the application of this section to Northern Ireland for the reference to the High Court there shall be substituted a reference to the High Court of Justice in Northern Ireland, and for the reference to rules of court there shall be substituted a reference to rules made under section sixty-one of the Supreme Court of Judicature (Ireland) Act, 1877.

Application of disciplinary provisions to persons registered in Supplementary Register.

19.—(1) The jurisdiction of the Royal College of Veterinary Surgeons, and the provisions relating to the control and discipline of members of that College contained in any Charter or in this Act or any other enactment, and in particular provisions relating to the removal of names from and the restoration of names to the Register of Veterinary Surgeons and the suspension of the effect of registration therein, shall, subject to the necessary modifications and to the provisions of this Act, apply to persons registered in the Supplementary Veterinary Register and otherwise in relation to that Register.

(2) For the purpose of any proceedings relating to the Supplementary Veterinary Register there shall be added to the Disciplinary Committee four persons appointed by the Ministers, being persons registered in the Supplementary Veterinary Register.

In this subsection the expression " the Ministers " means the Minister of Agriculture and Fisheries, the Secretary of State and the Minister of Agriculture for Northern Ireland, acting jointly.

(3) In any such proceedings as aforesaid a meeting of the Committee shall not be properly constituted unless seven persons (whether members of the Committee or persons added to it under this section) are present, but subject as aforesaid a meeting shall be properly constituted notwithstanding that less than five of the persons present are members of the Committee.

(4) At any such meeting as aforesaid the vote of a person added to the Committee under this section shall be of equal force with the vote of any member of the Committee.

POWER TO GIVE EFFECT TO AGREEMENT BETWEEN UNITED KINGDOM AND EIRE.

Power by Order in Council to give effect to Agreement with Eire

20. For the purpose of giving effect to any Agreement which may be entered into between His Majesty's Government in the United Kingdom and the Government of Eire, His Majesty may by Order in Council make such provision as appears to him expedient—

(*a*) for empowering the Privy Council, on the recommendation of the Council of the Royal College of Veterinary Surgeons, by order to direct that the holder of a veterinary degree of any university in Eire specified in the order which under the law of Eire for the time being in force qualifies the holder thereof for registration in the Eire Register of Veterinary Surgeons shall be entitled on application in the prescribed manner and payment of the prescribed fee to be registered in the Register of Veterinary Surgeons and to become a member of the Royal College of Veterinary Surgeons accordingly;

(*b*) for the suspension or revocation of any such order as aforesaid;

(*c*) for exceptions to the right to be so registered in cases of conviction for such offences as may be specified in the Agreement or of disgraceful conduct;

(*d*) for the appointment or election, in accordance with the terms of the Agreement, of members of the Council of the Royal College of Veterinary Surgeons in addition to those specified in sections nine and twelve of this Act; and

(*e*) for any such matters supplemental to or consequential on the matters referred to in this section as may be provided in the Agreement.

MISCELLANEOUS AND GENERAL.

Power of Privy Council to give directions to Council of Royal College of Veterinary Surgeons.

21. If at any time it appears to the Privy Council that the Council of the Royal College of Veterinary Surgeons—

(*a*) have failed to maintain a sufficient standard at any examination held by them; or

(*b*) have failed adequately to exercise their powers for the purpose of securing that a sufficient standard shall be maintained at any examination held by a university, being an examination leading to a degree to which an order under section one of this Act relates; or

(*c*) have failed to exercise or perform any other power or duty conferred or imposed on them by this Act,

the Privy Council may give such directions as they think fit, and the Council of the Royal College of Veterinary Surgeons shall comply with the directions.

Removal of disqualification of teachers.

22. Notwithstanding anything in any Charter a person may be appointed to be an Examiner of the Royal College of Veterinary Surgeons notwithstanding that he is a professor or teacher of any veterinary college.

Exemption of veterinary practitioners from restrictions on buying and selling poisons, etc.

23. The exemptions for registered veterinary surgeons contained in—

(*a*) sections nineteen and twenty of the Pharmacy and Poisons Act, 1933;

(*b*) section thirteen of the Diseases of Animals Act, 1935;

(*c*) section three of the Diseases of Animals (Therapeutic Substances) Act (Northern Ireland), 1935; 23 & 24 Geo. 5. c. 25.

(*d*) sections twenty-eight and twenty-nine of the Medicines, Pharmacy and Poisons Act (Northern Ireland), 1945; and 25 & 26 Geo. 5. c. 31.

(*e*) section one of the Penicillin Act, 1947, 10 & 11 Geo. 6. c. 29.

shall apply to persons registered in the Supplementary Veterinary Register as they apply to registered veterinary surgeons; and accordingly those Acts shall be amended in the manner specified in the Second Schedule to this Act.

Exemption from jury service.

24.—(1) No member of the Royal College of Veterinary Surgeons, and no person for the time being registered in the Supplementary Veterinary Register, shall if actually practising veterinary surgery be liable to serve on any jury.

(2) This section shall not extend to Northern Ireland.

Annual fees.

25.—(1) All persons for the time being registered in the Register of Veterinary Surgeons or in the Supplementary Veterinary Register shall pay to the Council of the Royal College of Veterinary Surgeons such annual fee (if any) as the Council may prescribe, not exceeding in the former case five guineas and in the latter case one guinea, and different fees may be prescribed for different classes of cases.

(2) The said annual fee shall be payable on such date in each year as the said Council may prescribe but shall not be payable by any person on the first occasion on which that date occurs after his registration.

(3) If the fee payable by any person under this section has remained unpaid for such time after written demand for it has been made by the Council as may be specified in the demand, the Council may cause the name of that person to be removed from the Register of Veterinary Surgeons or, as the case may be, the Supplementary Veterinary Register.

(4) If within such period as the Council may prescribe any person whose name has been removed as aforesaid pays the fee due from him together with such additional sum (if any) as the Council may prescribe, his name shall be restored to the register from which it has been removed and, if the Council so direct, shall be deemed for all purposes not to have been removed as aforesaid.

(5) Subsections (3) and (4) of section five of the Veterinary Surgeons Act, 1881 (which provide for the removal from the Register of Veterinary Surgeons of the name of any person who has ceased to practise) and section two of the Veterinary Surgeons Act (1881) Amendment Act, 1920 (which contains provisions as to annual fees) are hereby repealed.

Regulations, rules and orders.

26.—(1) No regulations or rules under this Act of the Council of the Royal College of Veterinary Surgeons shall have effect unless confirmed by order of the Privy Council.

(2) Any order under the last foregoing subsection may be revoked by a subsequent order of the Privy Council.

(3) Any power to make orders conferred by this Act on the Privy Council or on Ministers shall be exercisable by statutory instrument, and the Statutory Instruments Act, 1946, shall apply to all such powers and to orders made thereunder.

9 & 10 Geo. 6. c. 36.

(4) Any statutory instrument made under this Act in the exercise of any power conferred by sections one, two, five or twenty thereof shall be subject to annulment in pursuance of resolution of either House of Parliament.

Exercise of powers of Privy Council.

27.—(1) Any power conferred on the Privy Council by this Act may be exercised by any two or more of the Privy Council.

(2) Section eighteen of the Veterinary Surgeons Act, 1881 (which contains provisions as to the exercise by order of the powers vested in the Privy Council by that Act) is hereby repealed.

Interpretation.

28.—(1) In this Act the following expressions have the meanings hereby assigned to them respectively, that is to say :—

" Charter " means any of the Charters of the Royal College of Veterinary Surgeons ;

" prescribed " means prescribed by regulations of the Council of that College.

(2) For the avoidance of doubt it is hereby declared that this Act applies in relation to birds as it applies in relation to other animals.

(3) References in this Act to any enactment shall be construed as references to that enactment as amended by any subsequent enactment.

Saving for Existing Practitioners.

29. In relation to persons registered under section fifteen of the Veterinary Surgeons Act, 1881, in the register of existing practitioners, this Act shall have effect as if sections five and eight thereof were omitted.

Saving for legislative powers of Northern Ireland Parliament. 10 & 11 Geo. 5. c. 67.

30. For the purposes of section six of the Government of Ireland Act, 1920, this Act shall be deemed to be an Act passed before the appointed day, but nothing in this section shall be construed as extending the legislative powers of the Parliament of Northern Ireland under section four of the said Act of 1920.

Short title, construction and citation.

31.—(1) This Act may be cited as the Veterinary Surgeons Act, 1948.

(2) This Act shall be construed as one with the Veterinary Surgeons Act, 1881.

63 & 64 Vict. c. 24.

(3) This Act, the Veterinary Surgeons Act, 1881, the Veterinary Surgeons Amendment Act, 1900, the Veterinary Surgeons Act (1881) Amendment Act, 1920, and the Veterinary Surgeons (Irish Free State Agreement) Act, 1932, may be cited together as the Veterinary Surgeons Acts, 1881 to 1948.

SCHEDULES.

Section 5.

FIRST SCHEDULE.

EXEMPTIONS FROM RESTRICTIONS ON PRACTICE OF VETERINARY SURGERY.

PART I.

TREATMENT AND OPERATIONS WHICH MAY BE GIVEN OR CARRIED OUT BY UNQUALIFIED PERSONS.

Any treatment given to an animal by the owner thereof, by another member of a household of which the owner is a member, or by a person in the employment of the owner or of any other member of such a household.

Anything done, otherwise than for reward, by a person engaged or employed in agriculture, as defined in the Agriculture Act, 1947, to an animal owned (whether by himself or another person) for the purposes of agriculture, as so defined.

10 & 11 Geo. 6. c. 48.

The rendering in an emergency of first aid for the purpose of saving life or relieving pain.

The destruction of any animal by painless methods.

The performance of any of the following operations, that is to say—

(*a*) castration or caponising ;

(*b*) the spaying of a pig not over the age of three months ;

(*c*) the tailing of a lamb ;

(*d*) the docking of the tail of a dog before its eyes are open ;

(*e*) the amputation of the dew claws of a dog before its eyes are open ;

Provided that, without prejudice to the foregoing paragraphs of this Part of this Schedule, nothing in sub-paragraphs (*a*) to (*e*) of this paragraph shall authorise the performance of any operation by a person under the age of eighteen.

PART II.

EXCLUSIONS FROM PROVISIONS OF PART I.

Nothing in paragraph (*a*) of subsection (2) of section five of this Act shall authorise the castration of any animal mentioned in the following Table after it has reached the age shown therein.

TABLE.

Horse, pony, ass or mule	2 years
Bull	15 months
Goat	15 months
Ram	15 months
Boar	9 months
Cat	6 months
Dog	6 months

SECOND SCHEDULE.

Section 23.

EXEMPTION FROM RESTRICTIONS ON BUYING AND SELLING POISONS, ETC.

1.—(1) In the Pharmacy and Poisons Act, 1933,—

(*a*) in section nineteen, in paragraph (*a*) of subsection (1);

(*b*) in section twenty, in paragraph (3);

(*c*) in section twenty-three, in subsection (1), in sub-paragraph (ii) of paragraph (*b*);

(*d*) in section twenty-five, in subsection ten; and

(*e*) in section twenty-nine, in the definition of "dispensing",

after the words "veterinary surgeon" there shall be inserted the words "or veterinary practitioner."

(2) In section twenty-nine of the said Act of 1933 after paragraph (*b*) of the definition of "registered" there shall be inserted the following paragraph:—

"(*bb*) in relation to a veterinary practitioner, registered in the Supplementary Veterinary Register in pursuance of the Veterinary Surgeons Act, 1948".

2.—(1) In section thirteen of the Diseases of Animals Act, 1935, in subsection (2) after the word "surgeon" in each place where it occurs there shall be inserted the words "or practitioner".

(2) In subsection (3) of the said section thirteen after the word "means" in the second place in which it occurs, there shall be inserted the words "in relation to a veterinary surgeon", and at the end of that subsection there shall be added the words "and in relation to a veterinary practitioner registered in pursuance of the Veterinary Surgeons Act, 1948, in the Supplementary Veterinary Register".

3.—(1) In section three of the Diseases of Animals (Therapeutic Substances) Act (Northern Ireland) 1935, in subsection (2) after the words "veterinary surgeon" in each place where they occur there shall be inserted the words "or practitioner".

(2) In subsection (3) of the said section three after the word "means" in the first place where it occurs there shall be inserted the words "in relation to a veterinary surgeon" and after the word "practitioners" there shall be inserted the words "and in relation to a veterinary practitioner, registered in pursuance of the Veterinary Surgeons Act, 1948, in the Supplementary Veterinary Register".

4.—(1) In the Medicines, Pharmacy and Poisons Act (Northern Ireland), 1945, in paragraph (*a*) of subsection (1) of section twenty-eight, and in paragraph (3) of section twenty-nine after the words "veterinary surgeon" there shall be inserted the words "or veterinary practitioner".

(2) In section thirty-eight of the said Act of 1945, in subsection (1), the following paragraph shall be inserted at the end of the definition of "registered":—

"(*d*) in relation to a veterinary practitioner, registered in pursuance of the Veterinary Surgeons Act, 1948, in the Supplementary Veterinary Register."

2ND SCH. —*cont.*

5. In the Penicillin Act, 1947, in section one, in paragraph (*a*) of subsection (1) after the words " registered veterinary surgeon " there shall be inserted the words " or veterinary practitioner ", and in section five after the definition of " registered pharmacist " there shall be inserted the following definition :—

" ' registered veterinary practitioner ' means a person registered in the Supplementary Veterinary Register in pursuance of the Veterinary Surgeons Act, 1948 ".

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