EXPLANATORY MEMORANDUM TO

THE VETERINARY SURGEONS (RECOGNITION OF UNIVERSITY DEGREE) (SURREY) ORDER OF COUNCIL 2020

2020 No. 52

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department for Environment, Food and Rural Affairs and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 This instrument recognises the degree of Bachelor of Veterinary Medicine and Science (BVMSci) conferred by Surrey University. Recognition of the degree entitles its holders to be registered in the Register of Veterinary Surgeons kept by the Royal College of Veterinary Surgeons (RCVS), upon payment of the fee prescribed by regulation of the Council under section 11(1)(b) of the Veterinary Surgeons Act (VSA) 1966. Such registration is a necessary precondition to the lawful practice of veterinary surgery in the United Kingdom. On registration, the holder of the degree becomes a member of the RCVS.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

Matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business (English Votes for English Laws)

3.2 As the instrument is subject to negative resolution procedure there are no matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business at this stage.

4. Extent and Territorial Application

4.1 The territorial extent of this instrument is the United Kingdom.

4.2 The territorial application of this instrument is the United Kingdom.

5. European Convention on Human Rights

5.1 The Privy Council has made the following statement regarding Human Rights:

"As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required."

6. Legislative Context

6.1 Under section 3 of the VSA, the Privy Council may make a recognition order directing that any person who has undergone courses of study and examinations at a specified United Kingdom university, as a result of which the university has conferred

a veterinary degree on that person, may be registered in the Register of Veterinary Surgeons and become a member of the RCVS.

6.2 Under section 19 of the VSA it is unlawful (with certain limited exceptions) for a person to practise, or hold themselves out as practising, veterinary surgery without being registered in the Register of Veterinary Surgeons or the supplementary veterinary register.

6.3 To make a recognition order, the Privy Council, after consultation with the Council of the RCVS, must be of the view that the courses of study and the examinations taken sufficiently guarantee that holders of the degree will have acquired the knowledge and skill needed to practise veterinary surgery efficiently. The Privy Council must further be of view that such person will satisfy the requirements of Article 38 of Directive 2005/36/EC, as read with Article 22(a) of that Directive, on the recognition of professional qualifications. Article 38 sets out the minimum training requirements for veterinary surgeons to be recognised across Europe.

7. Policy background

What is being done and why?

7.1 Regulation of the veterinary profession is necessary to protect animal and public health and welfare. The VSA establishes that (with a very few specific exceptions) only registered veterinary surgeons may practise veterinary surgery in the United Kingdom. Regulation of the veterinary profession under the VSA includes registration of veterinary surgeons and regulation of their professional education.

7.2 The Privy Council has been advised by the RCVS that the Surrey University veterinary degree meets the requirements of the VSA referred to in section 6.3 above.

8. European Union (Withdrawal) Act 2018/Withdrawal of the United Kingdom from the European Union

8.1 This instrument does not relate to withdrawal from the European Union / trigger the statement requirements under the European Union (Withdrawal) Act 2018.

9. Consolidation

9.1 This instrument does not consolidate any legislation.

10. Consultation outcome

10.1 It was not considered appropriate to consult the public on this Order given that the Privy Council relies, in accordance with the VSA, on consultation with the RCVS to satisfy itself that the Order may be made.

10.2 The inspection procedure applied by the RCVS before advising the Privy Council involved representation from Australia and South Africa, as well as UK-based veterinary surgeons, both in practice and in universities. The inspection report has been considered and approved by all relevant RCVS committees and the RCVS Council.

11. Guidance

11.1 No special guidance is necessary.

12. Impact

12.1 The instrument has no impact on business, charities or voluntary bodies, except that, by increasing the number of veterinary surgeons on the market, it could assist businesses in being able to hire appropriately trained and local assistants.

12.2 The instrument has no impact on the public sector.

12.3 An Impact Assessment has not been prepared for this instrument because there is no significant impact on business, charities or voluntary bodies.

13. Regulating small business

Activities that are undertaken by small businesses

13.1 The legislation does not apply to small businesses.

14. Monitoring & review

14.1 The RCVS routinely monitors the standards of recognised veterinary degrees and periodically advises the Privy Council as to whether a degree should continue to be recognised. There will be no monitoring or review of the provisions of this instrument unless advice is received from the RCVS of the need to withdraw or amend recognition.

15. Contact

15.1 Gary Eldon at the Department for Environment, Food and Rural Affairs, Telephone: 0208 216 3159 or email: gary.eldon@defra.gov.uk can be contacted with any queries regarding the instrument.

15.2 Catherine Harrold, Deputy Director for Future Animal & Plant Health, Endemics and Traceability (FAPHET) at the Department for Environment, Food and Rural Affairs, can confirm that this Explanatory Memorandum meets the required standard.

15.3 Lord Gardiner at the Department for Environment, Food and Rural Affairs can confirm that this Explanatory Memorandum meets the required standard.