



# Veterinary Surgeons Act 1966

## 1966 CHAPTER 36

### *Disciplinary and similar proceedings*

#### **15 Preliminary investigation and disciplinary committees.**

- (1) The Council shall set up a committee of the Council to be known as the preliminary investigation committee which shall be charged with the duty of conducting a preliminary investigation into every disciplinary case (that is to say, a case in which it is alleged that a person is liable to have his name removed from the register or to have his registration suspended under the next following section) and of deciding whether the case should be referred to the disciplinary committee.
- (2) There shall continue to be a committee of the Council known as the disciplinary committee charged with the duty of considering and determining—
  - (a) any disciplinary case referred to them by the preliminary investigation committee; and
  - (b) any other case of which the disciplinary committee has cognizance under section 18 of this Act.
- (3) The provisions of Part I of Schedule 2 to this Act shall have effect with respect to the constitution of the preliminary investigation and disciplinary committees, and the provisions of Part II of that Schedule shall have effect with respect to the procedure of the disciplinary committee.

#### **16 Removal of names from register for crime or disgraceful conduct.**

- (1) If—
  - (a) a person registered in the register is convicted in the United Kingdom or elsewhere of a criminal offence which, in the opinion of the disciplinary committee, renders him unfit to practise veterinary surgery; or
  - (b) any such person is judged by the disciplinary committee to have been guilty of disgraceful conduct in any professional respect; or
  - (c) the disciplinary committee is satisfied that the name of any such person has been fraudulently entered in the register,

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*Status: Point in time view as at 30/05/2007.*

*Changes to legislation: There are currently no known outstanding effects for the Veterinary Surgeons Act 1966, Cross Heading: Disciplinary and similar proceedings. (See end of Document for details)*

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the committee may, if they think fit, direct that his name shall be removed from the register or (except in a case falling within paragraph (c) of this subsection) that his registration therein shall be suspended, that is to say, it shall not have effect during a period specified in the direction.

- (2) Where the disciplinary committee direct that a person's name shall be removed from the register or that his registration shall be suspended under this section, the registrar shall serve a notice of the direction on him.
- (3) This section shall apply in relation to the supplementary veterinary register and persons registered in that register as it applies in relation to the register of veterinary surgeons and registered veterinary surgeons.

## 17 Appeals in disciplinary and other cases.

- (1) A person in relation to whom a direction has been given under the last foregoing section may, at any time within twenty-eight days from the date of service on him of the notice of the direction, appeal against the direction to Her Majesty in Council in accordance with such rules as Her Majesty in Council may by order provide for the purposes of this section; and the <sup>M1</sup>Judicial Committee Act 1833 shall apply in relation to the disciplinary committee as it applies in relation to such courts as are mentioned in section 3 of that Act (reference to the Judicial Committee of the Privy Council of appeals to Her Majesty in Council).
- (2) The Council of the College may appear as respondent on any such appeal and, for the purpose of enabling directions to be given as to the costs of any such appeal, shall be deemed to be a party thereto whether they appeared on the hearing of the appeal or not.
- (3) A direction under the last foregoing section shall take effect—
  - (a) where no appeal under this section is brought against the direction within the time limited for the appeal, on the expiration of that time;
  - (b) where such an appeal is brought and is withdrawn or struck out for want of prosecution, on the withdrawal or striking out of the appeal;
  - (c) where such an appeal is brought and is not withdrawn or struck out as aforesaid, if and when the appeal is dismissed and not otherwise.

### Marginal Citations

M1 1833 c. 41.

## 18 Restoration of name after removal or suspension.

- (1) Where a person's name has been removed from the register of veterinary surgeons or the supplementary veterinary register in pursuance of a direction under section 16 of this Act, the name of that person shall not again be entered in the register from which it was removed unless the disciplinary committee on application made to them in that behalf otherwise direct.
- (2) Where the registration of a person in either of the said registers is suspended in pursuance of any such direction, the name of that person shall not be entered in the register so long as the suspension has effect unless the disciplinary committee on application made to them in that behalf otherwise direct.

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- (3) An application under this section for the restoration of a name to either of the said registers or for the removal of a suspension of registration shall not be made to the disciplinary committee—
- (a) within ten months of the date of removal or suspension; or
  - (b) within ten months of a previous application thereunder.

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