

*Status: Point in time view as at 01/07/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Veterinary Surgeons Act 1966, SCHEDULE 1. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

Section 1(3).

#### PROVISIONS AS TO THE COUNCIL

##### *Tenure of office of members and of President and Vice-Presidents*

- 1 (1) Subject to the provisions of this Schedule, the term of office of any member of the Council shall be, as near as may be, four years and [<sup>F1</sup>a member of the Council ordinarily retires at the beginning of] the annual general meeting of the College in the year in which he retires.
- (2) Subject to the provisions of this Schedule, six of the elected members of the Council, being those who have been such members for the longest time without re-election, shall retire in each year.
- (3) If on the coming into force of a recognition order for any university a member of the Council is appointed by the university between two annual general meetings of the College, then, subject to the following provisions of this Schedule, the term of office of that member shall not expire until the fourth annual general meeting after it began.

#### Textual Amendments

- F1** Words in Sch. 1 para. 1(1) substituted (1.7.2018) by [The Legislative Reform \(Constitution of the Council of the Royal College of Veterinary Surgeons\) Order 2018 \(S.I. 2018/559\)](#), arts. 1(2), 4(2)

- 2 Subject to the provisions of this Schedule, the term of office of the President or a Vice-President of the College shall be, as near as may be, one year, and he shall retire at the next meeting of the Council after the annual general meeting, but shall hold office until that next meeting notwithstanding that he has ceased to be a member of the Council, unless he resigns office as President or Vice-President or ceases to be a member of the Council under [<sup>F2</sup>any of paragraphs 3 to 5] of this Schedule.

#### Textual Amendments

- F2** Words in Sch. 1 para. 2 substituted (1.7.2018) by [The Legislative Reform \(Constitution of the Council of the Royal College of Veterinary Surgeons\) Order 2018 \(S.I. 2018/559\)](#), arts. 1(2), 4(3)

- 3 A member of the Council may at any time, by notice in writing addressed to the registrar, resign his office as member and the President or a Vice-President of the College may at any time by a like notice resign his office as such.

[<sup>F3</sup>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.]

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**Textual Amendments**

- F3** Sch. 1 para. 3A inserted (1.7.2018) by [The Legislative Reform \(Constitution of the Council of the Royal College of Veterinary Surgeons\) Order 2018 \(S.I. 2018/559\)](#), arts. 1(2), **4(4)**

- [<sup>F4</sup> An elected member of the Council ceases to hold office if the member ceases to be a member of the College.]

**Textual Amendments**

- F4** Sch. 1 para. 4 substituted (1.7.2018) by [The Legislative Reform \(Constitution of the Council of the Royal College of Veterinary Surgeons\) Order 2018 \(S.I. 2018/559\)](#), arts. 1(2), **4(5)**

- [<sup>F5</sup>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.

**Textual Amendments**

- F5** Sch. 1 paras. 4A, 4B inserted (1.7.2018) by [The Legislative Reform \(Constitution of the Council of the Royal College of Veterinary Surgeons\) Order 2018 \(S.I. 2018/559\)](#), arts. 1(2), **4(6)**

- 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.]

**Textual Amendments**

- F5** Sch. 1 paras. 4A, 4B inserted (1.7.2018) by [The Legislative Reform \(Constitution of the Council of the Royal College of Veterinary Surgeons\) Order 2018 \(S.I. 2018/559\)](#), arts. 1(2), **4(6)**

- 5 If a recognition order ceases to be in force for any university, any member appointed to the Council by that university shall thereupon cease to hold office.

*Elections, appointments and casual vacancies*

- 6 (1) Elections or appointments to fill any vacancy occurring under paragraph 1 of this Schedule shall be held or made before the annual general meeting of the College at which the vacancy occurs.
- (2) Elections to fill an ordinary vacancy in the office of President or Vice-President shall be held at the meeting of the Council at which the vacancy occurs.
- 7 (1) Where a casual vacancy occurs among the elected members of the Council, the vacancy shall be filled—
- (a) by the unsuccessful candidate at the last previous ordinary election of such members who at that election received the greatest number of votes and has not since become a member, or
  - (b) if two or more such candidates received an equal number of votes, by the candidate who has been registered longest on the register or, if two or more such candidates have been registered longer than any other but for the same period as each other, by one of them chosen by lot, or

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(c) if there were no unsuccessful candidates at that election, by a person appointed by the Council.

[<sup>F6</sup>(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).]

<sup>F7</sup>(2) .....

(3) Where a casual vacancy occurs in the office of President or Vice-President of the College, the vacancy shall be filled by an election held at the first meeting of the Council after the vacancy occurs.

(4) A person filling a casual vacancy among the <sup>F8</sup>... members of the Council or in the office of President or Vice-President of the College shall hold office until the date on which the person whose vacancy he fills would have regularly retired.

#### Textual Amendments

**F6** Sch. 1 para. 7(1A)-(1C) inserted (1.7.2018) by [The Legislative Reform \(Constitution of the Council of the Royal College of Veterinary Surgeons\) Order 2018 \(S.I. 2018/559\)](#), arts. 1(2), **4(7)(a)**

**F7** Sch. 1 para. 7(2) omitted (1.7.2018) by virtue of [The Legislative Reform \(Constitution of the Council of the Royal College of Veterinary Surgeons\) Order 2018 \(S.I. 2018/559\)](#), arts. 1(2), **4(7)(b)**

**F8** Word in Sch. 1 para. 7(4) omitted (1.7.2018) by virtue of [The Legislative Reform \(Constitution of the Council of the Royal College of Veterinary Surgeons\) Order 2018 \(S.I. 2018/559\)](#), arts. 1(2), **4(7)(c)**

[<sup>F9</sup>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.]

#### Textual Amendments

**F9** Sch. 1 para. 8 substituted (1.7.2018) by [The Legislative Reform \(Constitution of the Council of the Royal College of Veterinary Surgeons\) Order 2018 \(S.I. 2018/559\)](#), arts. 1(2), **4(8)**

9 Elections of elected members of the Council shall be conducted in accordance with a scheme made by the Council and approved by the Privy Council.

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10 A scheme under the last foregoing paragraph may be amended by the Council, but no amendment of the scheme shall have effect unless approved by the Privy Council.

*Supplementary*

11 The powers of the Council and any of its committees may be exercised notwithstanding any vacancy, and no proceedings of the Council or any of its committees shall be invalidated by any defect in the election or appointment of a member.

<sup>F10</sup>12 .....

**Textual Amendments**  
**F10** Sch. 1 para. 12 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 17 Group 7

<sup>F11</sup>13 .....

**Textual Amendments**  
**F11** Sch. 1 para. 13 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 17 Group 7

[<sup>F12</sup>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.]

**Textual Amendments**  
**F12** Sch. 1 para. 14 inserted (1.7.2018) by The Legislative Reform (Constitution of the Council of the Royal College of Veterinary Surgeons) Order 2018 (S.I. 2018/559), arts. 1(2), 4(9)

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