

Status: Point in time view as at 22/07/2004.

Changes to legislation: There are currently no known outstanding effects for the Veterinary Surgeons Act 1966. (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 the day on which a member of the Council ordinarily retires shall be the day 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.
- 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 paragraph 3, 4 or 5 of this Schedule.
- 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.
- 4 An elected member of the Council, or a member of the Council appointed by a university as being a member of the College, shall cease to hold office if he ceases to be a member of the College.
- 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—

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

(2) Where a casual vacancy occurs among members of the Council appointed by the Privy Council or a university, the vacancy shall be filled by the Privy Council or that university, as the case may be.

(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 elected 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.

8 A person ceasing to be a member of the Council or President or Vice-President of the College shall be eligible to be re-elected or re-appointed.

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.

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.

^{F1}12

<p>Textual Amendments</p> <p>F1 Sch. 1 para. 12 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 17 Group 7</p>

^{F2}13

<p>Textual Amendments</p> <p>F2 Sch. 1 para. 13 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 17 Group 7</p>

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[^{F3}SCHEDULE 1A

RECOGNISED EUROPEAN QUALIFICATIONS IN VETERINARY SURGERY

Textual Amendments

F3 Sch. 1A substituted (17.12.2003) by [Veterinary Surgeons' Qualifications \(European Recognition\) Order 2003 \(S.I. 2003/2919\)](#), arts. 1, 12, **Sch. para. 8**

Country	Title of qualification	Awarding body	Certificate accompanying qualification
Austria	— Diplom-Tierarzt — Magister medicinae veterinariae	University	1. Doktor der veterinarmedizin
			2. Doctor medicinae veterinariae
			3. Fachtierarzt
Belgium	— Diploma van dierenarts — Diplome de docteur en medecine veterinaire	1. De universiteiten/les universites	
		2. De bevoegde Examencommissie van de Vlaamse Geneeschep/le Jury competent d'enseignement de la Communaute francaise	
Denmark	Bevis for bestaet kandidatsamen i veterinaervidenskab	Kongelige Veterinaer-og Landbohojskole	
Finland	Elainlaaketieteen liseniaattin tutkinto/veterinarmedicine licentiatexamen	Helsingin yliopisto/Helsingfors universitet	
France	Diplome d'Etat de docteur veterinaire		
Germany	Zeugnis uber dan Ergebnis des Dritten Aschnitts	Der Vorsitzende des Prüfungsausschusses für die Tierarztliche	

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Country	Title of qualification	Awarding body	Certificate accompanying qualification
	der Tierarztlitthen Prufung und das Gesamtergebnis der Tierarztlichen Prufung	Prufung einer Universitat oder Hochschule	
Greece	Πτυχιο Κτηνιατρικης (Ptikio Ktiniatrikis)	Faculty of Geotechnical Sciences of the Aristotle University of Saloniki or the School of veterinary medicine of the Aristotle University of Saloniki	
Iceland	Recognised European Qualifications awarded in other member States		Certificate on completed practical training from the competent authority
Ireland	— Diploma of Bachelor in/ or Veterinary Medicine (MVB) — Diploma of Membership of the Royal College of Veterinary Surgeons (MRCVS)		
Italy	Diploma di laurea in medicina veterinaria	Universita	Diploma di abilitazione all'exercizio della medicina veterinaria
Liechtenstein	Recognised European Qualifications awarded in other member States		Certificate on completed practical training from the competent authority
Luxembourg	Diplome d'Etat de docteur en medecine veterinaire	Jury d'examen d'Etat	
Netherlands	Getuigschrift van met goed gevolg afgelegd diergeneeskundig/ veeartsenijkundig examen		

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Country	Title of qualification	Awarding body	Certificate accompanying qualification
Norway	Vitnemal for fullfort grad Candidata/ candidatus medicinae veterinariae	Norwegian College of Veterinary Medicine. Norgest veterinaerhogskole	
Portugal	Carta de curso de licenciatura em medicina veterinaria	Universidade	
Spain	Titulo de Licenciado en Veterinaria	Ministerio de Educacion y Cultura/ El rector de una Universidad	
Sweden	Veterinarexamen	Sveriges Landbruksuniversitet	
Switzerland	Eidgenossisch diplomierter tierarzt/ titulaire du diplome federal de veterinaire/ titolare di diploma federale di veterinario	Federal Department of Home Affairs]	

SCHEDULE 2

Section 15(3).

PRELIMINARY INVESTIGATION AND DISCIPLINARY COMMITTEES

PART I

CONSTITUTION OF THE COMMITTEES

- 1 (1) The preliminary investigation committee shall consist of the President and Vice-Presidents of the College and three other members of the Council elected from among themselves by the members of the Council.
- (2) Ordinary elections of the members of the preliminary investigation committee, other than the President or the Vice-Presidents, shall be held at the first meeting of the Council following the annual general meeting of the College and any election to fill a casual vacancy occurring among those members shall be held at the next meeting of the Council after the vacancy occurs.
- (3) The quorum for a meeting of the preliminary investigation committee shall be three, of whom at least one shall be the President or a Vice-President of the College.
- 2 (1) The disciplinary committee shall consist of a chairman elected by the Council and of eleven other members so elected.

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- (2) A person shall not be qualified to be a member of the disciplinary committee unless he is a member of the Council.
 - (3) Not less than six 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 to the Council by the Privy Council.
 - (4) 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.
 - (5) No person who acted as a member of the preliminary investigation committee with respect to any case shall act as a member of the disciplinary committee with respect to that case.
 - (6) The quorum for a meeting of the disciplinary committee shall be five, of whom at least one shall be an elected member of the Council, except that a quorum for a meeting of the committee to hear a disciplinary case against a person registered in the supplementary veterinary register shall be seven, of whom at least one shall be an elected member of the Council and at least two shall be persons so registered.
- 3 The members of the preliminary investigation committee and the disciplinary committee shall hold office for such term as may be determined from time to time by the Council.

PART II

PROCEDURE OF DISCIPLINARY COMMITTEE

- 4 (1) For the purpose of any proceedings before the disciplinary committee in England and Wales or Northern Ireland the committee may administer oaths and any party to the proceedings may sue out writs of subpoena ad testificandum and duces tecum, but no person shall be compelled under any such writ to produce any document which he could not be compelled to produce on the trial of an action.
- (2) The provisions of section [F⁴36 of the Supreme Court Act 1981][F⁵, of section 67 of the M¹Judicature (Northern Ireland) Act 1978] or of the M²Attendance of Witnesses Act 1854 (which provide special procedures for the issue of such writs so as to be in force throughout the United Kingdom) shall apply in relation to any proceedings before the disciplinary committee in England and Wales or, as the case may be, Northern Ireland as those provisions apply in relation to causes or matters in the High Court or actions or suits pending in the High Court of Justice in Northern Ireland.
- (3) For the purpose of any proceedings before a disciplinary committee in Scotland, the committee may administer oaths and the Court of Session shall on the application of any party to the proceedings have the like power as in any action in that court to grant warrant for the citation of witnesses and havers to give evidence or to produce documents before the committee, and for the issue of letters of second diligence against any witness or haver failing to appear after due citation, to grant warrant for the recovery of documents, and to grant commissions to persons to take the evidence of witnesses or to examine havers and receive their exhibits and productions.

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Textual Amendments

- F4** Words substituted by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 152(1), [Sch. 5](#)
F5 Words inserted by [Judicature \(Northern Ireland\) Act 1978 \(c. 23\)](#), [Sch. 5](#)

Marginal Citations

- M1** [1978 c. 23](#).
M2 [1854 c. 34](#).

- 5 (1) The Council shall make rules as to the procedure to be followed and the rules of evidence to be observed in proceedings in disciplinary cases before the disciplinary committee and in particular—
- (a) for securing that notice that the proceedings are to be brought shall be given, at such time and in such manner as may be specified by the rules, to the person alleged to be liable to have his name removed or suspended from the register;
 - (b) for securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the committee;
 - (c) for enabling any party to the proceedings to be represented by counsel or solicitor or (if the rules so provide and the party so elects) by a person of such other description as may be specified by the rules;
 - (d) for requiring proceedings before the committee to be held in public except so far as may be provided by the rules;
 - (e) for requiring, in cases where it is alleged that a person is guilty of disgraceful conduct in any professional respect, that where the committee judges that the allegation has not been proved it shall record a finding that the person is not guilty of such conduct in respect of the matters to which the allegation relates.
- (2) As respects proceedings before the disciplinary committee not falling within the foregoing sub-paragraph the Council shall have power to make rules with respect to all or any of the matters mentioned in the foregoing sub-paragraph, but shall not be required to do so.
- 6 (1) For the purpose of advising the disciplinary committee on questions of law arising in disciplinary cases there shall in all such cases be an assessor to the committee who shall be
- [^{F6}(a) a person who has a 10 year general qualification, within the meaning of section 71 of the Courts and Legal Services Act 1990;
 - (b) an advocate or solicitor in Scotland of at least 10 years' standing; or
 - (c) a member of the Bar of Northern Ireland or solicitor of the Supreme Court of Northern Ireland of at least 10 years' standing.]
- (2) The power of appointing an assessor to the disciplinary committee shall be exercisable by the Council, but if no assessor appointed by the Council is available to act in any particular proceedings the committee may itself appoint an assessor qualified as aforesaid for those proceedings.
- (3) The Lord Chancellor may make rules as to the functions of assessors appointed under this paragraph, and in particular such rules may contain provision for securing—
- (a) that where an assessor advises the disciplinary committee on any question of law as to evidence, procedure or any other matters specified by the rules,

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he shall do so in the presence of every party or person representing a party to the proceedings who appears thereat or, if the advice is tendered while the committee is deliberating in private, that every such party or person as aforesaid shall be informed what advice the assessor has tendered;

- (b) that every such party or person as aforesaid shall be informed if in any case the committee does not accept the advice of the assessor on such a question as aforesaid.

and may contain such incidental and supplementary provisions as the Lord Chancellor considers expedient.

- (4) An assessor may be appointed under this paragraph either generally or for any particular proceedings or class of proceedings, and shall hold and vacate office in accordance with the terms of the instrument under which he is appointed.
- (5) The Council may pay to an assessor appointed under this paragraph remuneration at such rates as may be determined by the Council with the consent of the Lord Chancellor.

Textual Amendments

- F6** Sch. 2 para. 6(1)(a)(b)(c) substituted for the words commencing “a barrister” to the end by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), s. 71(2), **Sch. 10 para. 28**

[^{F7}SCHEDULE 3

EXEMPTIONS FROM RESTRICTIONS ON PRACTICE OF VETERINARY SURGERY]

Textual Amendments

- F7** Sch. 3 substituted by [S.I. 1988/526](#), **art. 2**

Modifications etc. (not altering text)

- C1** Sch. 3 extended (N.I) by [Welfare of Animals Act \(Northern Ireland\) 1972 \(c. 7\)](#), **s. 14(2)**

PART I

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

- 1 Any minor medical treatment given to an animal by its owner, by another member of the household of which the owner is a member or by a person in the employment of the owner.
- 2 [^{F8}Any medical treatment or any minor surgery] (not involving entry into a body cavity) given, otherwise than for reward, to an animal used in agriculture, as defined in the Agriculture Act 1947, by the owner of the animal or by a person engaged or employed in caring for animals so used.

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Textual Amendments

F8 Words in Sch. 3 Pt. I para. 2 substituted by S.I. 1991/1412, art. 2(a)

- 3 The rendering in an emergency of first aid for the purpose of saving life or relieving pain or suffering.
- 4 The performance by any person of or over the age of eighteen of any of the following operations, that is to say—
- (a) the castration of a male animal or the caaponising of an animal, whether by chemical means or otherwise;
 - (b) the docking of the tail of a lamb;
 - ^{F9}(c)
 - (d) the amputation of the dew claws of a dog before its eyes are open.

Textual Amendments

F9 Sch. 3 Pt I para. 4(c) ceased to have effect (1.7.1993) by virtue of S.I. 1991/1412, art. 2(c)

- 5 The performance, by any person of the age of seventeen undergoing instruction in animal husbandry, of any operation mentioned in paragraph 4(a) or (b) above and the disbudding of a calf by any such person or by a person of or over the age of eighteen undergoing such instruction, if, in each case, either of the following conditions is complied with, that is to say—
- (a) the instruction in animal husbandry is given by a person registered in the register of veterinary surgeons or the supplementary veterinary register and the operation is performed under his direct personal supervision;
 - (b) the instruction in animal husbandry is given at a recognised institution and the operation is performed under the direct personal supervision of a person appointed to give such instruction at the institution.
- [^{F10}In this paragraph “recognised institution” means—
- (i) as respects Great Britain, an institution maintained or assisted (in England and Wales) by a local education authority or (in Scotland) by an education authority or in either case an institution for the giving of further education as respects which a grant is paid by the Secretary of State or an institution recognised for the purposes of this paragraph by the Secretary of State; and
 - (ii) as respects Northern Ireland, an agricultural college maintained by the Ministry of Agriculture for Northern Ireland.]
- [^{F10}In the foregoing paragraph “recognised institution” means—
- (a) as respects England and Wales—
 - (i) an institution maintained or assisted by a local education authority; [an institution within the further education sector within the ^{F11}(iA) meaning of section 91(3) of the Further and Higher Education Act 1992]
 - (ii) any other institution which provides higher education or further education (or both) and as respects which a grant is paid by the Secretary of State; or

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- (iii) an institution recognised by the Secretary of State for the purposes of the foregoing paragraph;
- (b) as respects Scotland—
- [any educational establishment (not being a school) within the meaning of section 135(1) of the Education (Scotland) Act 1980 for the provision of any form of further education for the management of which establishment an education authority is responsible;
- (iA) any college of further education within the meaning of section 36(1) of the Further and Higher Education (Scotland) Act 1992 which is managed by a board of management established under that Act;]
- (ii) a central institution within the meaning of the Education (Scotland) Act 1980; ^{F13} . . .
- (iii) an institution recognised by the Secretary of State for the purposes of the foregoing paragraph; [^{F14}or
- (iv) a designated institution within the meaning of Part II of the Further and Higher Education (Scotland) Act 1992;]and
- (c) as respects Northern Ireland, an agricultural college maintained by the Department of Agriculture for Northern Ireland;
- and expressions used in paragraph (a) of this paragraph and in [^{F15}the Education Act 1996] have the same meanings as in that Act.]

Textual Amendments

- F10** Words in Sch. 3 beginning "In the foregoing" expressed to be substituted for words beginning "and in this paragraph "recognised institution" (which latter words were to be found in Sch. 3 as originally enacted) by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), s. 237(1), [Sch. 12 Pt. III para. 66](#)
- F11** Sch. 3: in the definition of "recognised institution" para. (a)(iA) inserted (1.4.1993) by [Further and Higher Education Act 1992 \(c. 13\)](#), s. 93(1), [Sch. 8 Pt. II para. 70](#); S.I. 1992/831, art. 2, [Sch. 3](#).
- F12** Sch. 3: sub-para. (i)(iA) in para. (b) of the definition of "recognised institution" for the purposes of para. 5 substituted (1.4.1993) for sub-para. (i) by [Further and Higher Education \(Scotland\) Act 1992 \(c. 37\)](#), s. 62(2), [Sch. 9 para. 2\(a\)](#); S.I. 1992/817, art. 3(2), [Sch. 4](#).
- F13** Sch. 3: word after sub-para. (ii) in para. (b) of the definition of "recognised institution" for the purposes of para. 5 omitted (16.5.1992) by virtue of [Further and Higher Education \(Scotland\) Act 1992 \(c. 37\)](#), s. 62(2), [Sch. 9 para. 2\(b\)](#); S.I. 1992/817, art. 3(2), [Sch. 1](#).
- F14** Sch. 3: words after sub-para. (iii) in para. (b) of the definition of "recognised institution" for the purposes of para. 5 inserted (16.5.1992) by [Further and Higher Education \(Scotland\) Act 1992 \(c. 37\)](#), s. 62(2), [Sch. 9 para. 2\(c\)](#); S.I. 1992/817, art. 3(2), [Sch. 1](#).
- F15** Sch. 3: in the definition of "recognised institution" words substituted (1.11.1996) by [1996 c. 56](#), ss. 582(1), 583(2), [Sch. 37 Pt. I para. 12](#) (with s. 1(4), [Sch. 39 paras. 30, 36, 39](#))

- [^{F16} 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

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- (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.]

Textual Amendments

F16 Sch. 3 Pt. I para. 6 substituted (10.6.2002) by S.I. 2002/1479, art. 2(a)

[^{F17} 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.]

Textual Amendments

F17 Sch. 3 Pt. I para. 7 added (10.6.2002) by S.I. 2002/1479, art. 2(b)

PART II

EXCLUSIONS FROM PROVISIONS OF PART I

Nothing in section 19(4)(b) of this Act shall authorise—

- (a) the castration of a male animal being—
- (i) a horse, pony, ass or mule,
- (ii) a bull, boar or goat which has reached the age of two months,
- (iii) a ram which has reached the age of three months, or
- (iv) a cat or dog;
- (b) the spaying of a cat or dog;

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- (c) the removal (otherwise than in an emergency for the purpose of saving life or relieving pain or suffering) of any part of the antlers of a deer before the velvet of the antlers is frayed and the greater part of it has been shed;
- (d) the desnooding of a turkey which has reached the age of 21 days;
- (e) the removal of the combs of any poultry which have reached the age of 72 hours;
- (f) the cutting of the toes of a domestic fowl or turkey which has reached the age of 72 hours;
- (g) the performance of a vasectomy or the carrying out of electro-ejaculation on any animal or bird kept for production of food, wool, skin or fur or for use in the farming of land;
- (h) the removal of the supernumerary teats of a calf which has reached the age of 3 months; or
- (i) the dehorning or disbudding of a sheep or goat, except the trimming of the insensitive tip of an ingrowing horn which, if left untreated, could cause pain or distress.

SCHEDULE 4

Section 28(1).

ENACTMENTS REPEALED

Modifications etc. (not altering text)

- C2** The text of Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1. 2. 1991

SCHEDULE 4 ENACTMENTS REPEALED

Chapter	Short Title	Extent of Repeal
44 & 45 Vict. c. 62.	The Veterinary Surgeons Act 1881.	The whole Act.
22 & 23 Geo. 5. c. 10.	The Veterinary Surgeons (Irish Free State Agreement) Act 1932.	The whole Act.
11 & 12 Geo. 6. c. 52.	The Veterinary Surgeons Act 1948.	The whole Act, except sections 23, 30 and 31(1) and Schedule 2.
10 & 11 Eliz. 2. c. 23.	The South Africa Act 1962.	In Schedule 5, paragraph 2.

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