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## EXPLANATORY NOTE

*(This note is not part of the Order)*

1. This Order, made under section 2(2) of the European Communities Act 1972, implements the provisions of Directive [2001/19/EC](#) of the European Parliament and of the Council (O.J. L206, 31/7/2001) relating to the mutual recognition of veterinary qualifications. By virtue of the Agreement on the European Economic Area (“EEA”) (O.J. L 001, 3/1/1994) and of the Agreement between the EEA and Switzerland on the free movement of persons (O.J. L114, 30.4.2002), these provisions apply to EEA States and to Switzerland. The Order comes into force on 17 December 2003.

2. This Order amends the Veterinary Surgeons Act 1966 and revokes the Veterinary Surgeons Qualifications (EEC Recognition) Order 1980 (S.I. 1980/1951). Provisions previously contained in that Order are reproduced, with some amendments, in this Order.

3. The effect of the Order is to implement the provisions of Directive [2001/19/EC](#) and to extend them to all states in the EEA and to Switzerland. It also provides for all veterinary qualifications, training and experience acquired by applicants for registration who are EEA or Swiss nationals to be taken into account, whether these have been obtained in the EEA or Switzerland or elsewhere (in a new section 5B of the Act, inserted by paragraph 3 of the Schedule to the Order).

4. Articles 3 to 11 contain provisions on the effect of disqualification in other states on registration in the United Kingdom and on the rights of EEA and Swiss nationals to render veterinary services temporarily in the United Kingdom.

5. Article 12 and the Schedule to the Order amend the Act as follows:

- a new section 5A provides that EEA and Swiss nationals with the qualifications set out in the new Schedule 1A to the Act are entitled to be registered with the Royal College of Veterinary Surgeons and to become members of the College (paragraphs 2 and 8 of the Schedule);
- a new section 5B provides for the consideration of applications from EEA and Swiss nationals with other qualifications, training and professional experience (paragraph 3 of the Schedule);
- a new section 5C provides a system of appeal if an application is refused or a decision on the application is not reached within the stipulated period (paragraph 4 of the Schedule);
- a new section 5D provides for the setting up of a registration appeals committee (paragraph 5 of the Schedule);
- consequential amendments to section 6(6) of the Act (which relates to Commonwealth and foreign qualifications) and to section 27 of the Act (interpretation provisions) are made by paragraphs 6 and 7 of the Schedule;
- a new Schedule 1A listing recognised European qualifications in veterinary surgery. is substituted (paragraph 8 of the Schedule to the Order).

6. Article 13 of the Order revokes the Veterinary Surgeons Qualifications (EEC Recognition) Order 1980 (S.I. 1980/1951) and other statutory instruments which have previously amended the Act: the Medical, Nursing, Dental and Veterinary Qualifications (EEC Recognition) Order 1982 (S.I. 1982/1076); the Veterinary Surgeons Qualifications (EEC Recognition) (Spanish and Portuguese Qualifications) Order 1987 (S.I. 1987/447); the Veterinary Surgeons Qualifications (EEC Recognition) (German Democratic Republic Qualifications) Order 1991 (S.I. 1991/1218) and the Veterinary Surgeons Qualifications (EEC Recognition) (Amendment) Order 1993 (S.I. 1993/596).

**Changes to legislation:** *There are currently no known outstanding effects for the Veterinary Surgeons' Qualifications (European Recognition) Order 2003. (See end of Document for details)*

7. A transposition note setting out how the main relevant elements of the Directive are transposed into law has been placed in the libraries of both Houses of Parliament. Copies are also available from the Department of Environment, Food and Rural Affairs' Animal Health and Welfare Division, Room 602, 1A Page Street, London SW1P 4PQ.

8. A regulatory impact assessment has not been prepared in respect of this Order.

**Changes to legislation:**

There are currently no known outstanding effects for the Veterinary Surgeons' Qualifications (European Recognition) Order 2003.