

2003 No. 3342

VETERINARY SURGEONS

**The Veterinary Surgeons and Veterinary Practitioners
(Registration) Regulations Order of Council 2003**

Made - - - - - 19th December 2003

Coming into force - - - - - 1st April 2004

At the Council Chamber, Whitehall, the 19th day of December 2003

By the Lords of Her Majesty's Most Honourable Privy Council

Whereas in pursuance of section 11 of the Veterinary Surgeons Act 1966^(a) the Council of the Royal College of Veterinary Surgeons have made the Veterinary Surgeons and Veterinary Practitioners Registration Regulations 2003:

And whereas by section 25(1) of that Act the Regulations shall not have effect unless approved by the Privy Council:

Now, therefore, Their Lordships, having taken the Regulations into consideration, are hereby pleased, in exercise of the power conferred by section 25(1) of the Act, to order as follows:

1. This Order may be cited as the Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations Order of Council 2003 and shall come into force on 1st April 2004.
2. The Regulations set out in the Schedule are approved.

The Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations Order of Council 2000^(b) and the Veterinary Surgeons and Veterinary Practitioners (Registration) (Amendment) Regulations Order of Council 2003^(c) are hereby revoked.

A. K. Galloway
Clerk of the Privy Council

^(a) 1966 c. 36.
^(b) S.I. 2000/1619.
^(c) S.I. 2003/21.

SCHEDULE
VETERINARY SURGEONS AND VETERINARY PRACTITIONERS
REGISTRATION REGULATIONS 2003

The Council of the Royal College of Veterinary Surgeons, in exercise of its powers under section 11 of the Veterinary Surgeons Act 1966, hereby makes the following Regulations—

PART I
INTERPRETATION

1. These Regulations may be cited as the Veterinary Surgeons and Veterinary Practitioners Registration Regulations 2003.

2.—(1) In these Regulations, unless the context otherwise requires—

“Act” means the Veterinary Surgeons Act 1966;

“appropriate form” means an application form issued by the Council for the type of application in question and a requirement that an application shall be made on the appropriate form shall imply that the Council is entitled to require the completion of the form, which may be satisfied by completion of the form by electronic means;

“College” means the Royal College of Veterinary Surgeons;

“Council” means the Council of the College;

“Disciplinary Committee” means the Disciplinary Committee of the Council;

“document” includes a document produced as a result of facsimile transmission and a hard copy of an electronic mail transmission;

“fee year” means the period running from 1st April to the next following 31st March;

“notify” includes making a communication by electronic means;

“practise or practising” means undertaking acts of veterinary surgery as defined in section 27(1) of the Act or is otherwise engaged in any activity which is, in the opinion of the Council, veterinary related;

“quarters” for the purposes of determining fees payable or sums to be refunded under these Regulations, shall be by reference to the quarters of the year beginning on the Quarter Days, 25th March, 24th June, 29th September and 25th December, as applicable;

“register” means the register of veterinary surgeons maintained under section 2 of the Act;

“register address” means the address given in the appropriate form or, where the address has been changed, as subsequently notified to the registrar;

“register qualification” means a qualification entitling a person to be registered in the register under sections 3, 4, 5A, 5B or 6 of the Act;

“registrar” means the registrar of the College;

“supplementary veterinary register” means the supplementary veterinary register maintained under section 8 of the Act;

“United Kingdom” means the geographic area comprising the United Kingdom, Channel Islands and the Isle of Man;

“veterinary practitioner” means a person registered in the supplementary veterinary register;

“veterinary surgeon” means a person registered in the register.

(2) References in these Regulations to a numbered Regulation mean the Regulation bearing that number in these Regulations, and references in these Regulations to “the Schedule” means the Schedule to these Regulations.

PART II
THE REGISTERS AND LISTS

3.—(1) In the register the general list, the Commonwealth list, and the foreign list shall contain the following particulars of each person registered therein—

(a) full name and any change of name since registration;

(b) register address and, where known, telephone number and electronic mail address;

(c) register qualification, name of college or university at which the qualification was obtained and date of admission to the register;

(d) other qualifications which the Council has authorised to be inserted in the register and which the applicant has requested shall be inserted; and

(e) register index number.

(2) The temporary list in the register shall contain the following particulars of each person registered therein—

- (a) full name and any change of name since registration;
- (b) register address in the United Kingdom and, where known, telephone number and electronic mail address;
- (c) qualification for temporary registration and date acquired (in the case of an applicant under section 7(1)(a) or section 7(4) of the Act the date of publication of the result of the examination leading to the degree or other qualification in veterinary surgery; in the case of an applicant under section 7(1)(b) of the Act the date of conferment of the degree or other qualification);
- (d) other qualifications which the Council has authorised to be inserted in the register and which the applicant has requested shall be inserted;
- (e) period of registration;
- (f) place or places at which veterinary surgery may be practised;
- (g) other conditions or restrictions relating to the practising of veterinary surgery;
- (h) the name of a responsible M/FRCVS; and
- (i) register index number.

(3) The supplementary veterinary register shall contain the following particulars of each person registered therein—

- (a) full name and any change of name since registration;
- (b) register address and, where known, telephone number and electronic mail address;
- (c) date of admission to the register;
- (d) in the case of a person registered under subsections 1(c) and (2) of section 8 of the Act, the particulars required to be entered in the supplementary veterinary register under section 8(3) of the Act; and
- (e) register index number.

4. The registrar shall have authority to refuse to make in or restore to the register any entry until the fees prescribed by these Regulations have been paid.

PART III

APPLICATIONS FOR REGISTRATION

5. An application to the Council for the inclusion of a name in the register shall be made on the appropriate form. An applicant for registration in the register shall produce or send to the registrar the document conferring or evidencing his qualification for registration and such other supporting evidence as the Council may require in a particular case to establish whether the applicant is entitled to be registered or not.

PART IV

TRANSFER FROM ONE LIST TO ANOTHER

6. An application for the transfer of a name from one list to another shall be made on the appropriate form. In the case of an application for transfer to the general, Commonwealth or foreign lists the applicant shall produce or send to the registrar the document conferring or evidencing his qualifications for registration in such list and such other supporting evidence as the Council may require in a particular case. Where the Council is satisfied that the applicant is entitled to the transfer it shall direct the registrar to delete the name of the applicant from one register or list, as the case may be, and enter it in the other.

PART V

RETENTION OF A NAME AND REMOVAL FOR NON-PAYMENT OF FEES

7. Not later than 14th March in each year the registrar shall send to the register address of every veterinary surgeon and veterinary practitioner whose registration will expire on 31st March in the same year, and who has not at that date paid the retention fee, the appropriate notice for the retention of a name in the register with the fee payable and a warning that failure to pay such fees entails removal from the register or supplementary veterinary register, as the case may be, of that person's name. Non-receipt of the notice by a veterinary surgeon or veterinary practitioner shall not affect the authority to remove a

name from the register, nor shall it constitute a ground for retention or restoration without payment of the appropriate fee. The notice shall also contain the data held by the College in respect of that person and request that the veterinary surgeon or veterinary practitioner concerned should send the registrar any correction to ensure that the data held is accurate.

8. Where the registrar has not received by 1st June of any year, from a veterinary surgeon or veterinary practitioner a retention fee due payment by 31st March in the same year he shall send a warning that failure to pay the fee by 31st July will result in the removal from the register or supplementary veterinary register of the name in relation to which the fee is due and if the fee is not received he shall, under the provisions of section 11(2) of the Act, remove the name from the register or the supplementary veterinary register.

PART VI

CHANGES IN PARTICULARS NOTIFIED TO THE COUNCIL

9. A veterinary surgeon or veterinary practitioner shall notify the registrar within one month of any of the following changes bearing on the particulars entered in the register or the supplementary veterinary register—

- (a) change of name;
- (b) change of register address.

PART VII

CORRECTION OR REMOVAL OF AN ENTRY

10. When the registrar receives information from a veterinary surgeon or veterinary practitioner or otherwise that an entry in the register or the supplementary veterinary register is incorrect, or application is made by or on behalf of a veterinary surgeon or veterinary practitioner for an entry to be corrected, he shall make the required correction, if he is satisfied by means of a statutory declaration or otherwise that the information is true. No charge shall be made for a correction under this Regulation.

11. The registrar may remove from the register, under the provisions of section 13(2) of the Act, or the supplementary veterinary register the name of any veterinary surgeon or veterinary practitioner upon receipt of a written application by such surgeon or practitioner, or on his behalf, stating the grounds on which the application is made and accompanied by a declaration that the applicant is not aware of any reason for the institution of proceedings which may lead to the removal of the name under the provisions of section 16 of the Act.

12. The registrar shall, subject to the provisions of sections 16(2) and 17(3) of the Act, remove from the register or the supplementary veterinary register, or suspend the registration of, the name of any veterinary surgeon or veterinary practitioner in respect of whom he receives a direction to that effect from the Disciplinary Committee under the provisions of section 16 of the Act.

PART VIII

RESTORATION OF A NAME TO THE REGISTER OR THE SUPPLEMENTARY VETERINARY REGISTER

13. Where a name has been removed from the register or the supplementary veterinary register, under the provisions of section 11(2) of the Act and Regulation 8, it shall be restored on receipt of an application on the appropriate form if the veterinary surgeon or veterinary practitioner concerned pays the restoration fee specified in Regulation 3 of the Schedule together with the appropriate retention fee due under Regulation 17 and Regulation 2 of the Schedule in respect of the full fee year in which the restoration is to take place.

14. Where a name has been removed from the register or the supplementary veterinary register under the provisions of section 13(2) of the Act, the Council may restore it on receipt of an application on the appropriate form accompanied by—

- (a) the restoration fee specified in Regulation 3 of the Schedule together with the appropriate retention fee due under Regulation 17 and Regulation 2 of the Schedule in respect of the full fee year in which the restoration is to take place; and
- (b) evidence establishing to the satisfaction of the Council the applicant's identity and good character in cases where the name of the applicant has not been included in the register or the supplementary veterinary register during any of the five years immediately preceding the date of application.

PART IX

FEES PAYABLE BY VETERINARY SURGEONS AND VETERINARY PRACTITIONERS

15. A registration fee shall be charged for the entry of a name in the general list, Commonwealth list or foreign list and shall be paid at the time of application for registration and shall be of such amount as is specified in Regulation 1 of the Schedule.

16. An additional fee shall be paid at the time of application for registration and shall be of such an amount (expressed in quarters of the appropriate retention fee prescribed Regulation 2 of the Schedule) calculated by reference to the number of full quarters remaining of the fee year in which registration takes place.

17. A retention fee shall be charged—

- (a) to a veterinary surgeon for the retention of his name in the general list, Commonwealth list or foreign list for each fee year following registration;
- (b) to a veterinary practitioner for the retention of his name in the supplementary veterinary register for each fee year following that in which his name is first entered in the supplementary veterinary register.

18. Subject to the provisions of Regulations 19 and 22, the retention fee for the retention of a name in the general list, Commonwealth list or foreign list, or in the supplementary veterinary register, shall be of such amount as is specified in Regulation 2 of the Schedule and the whole fee shall be payable before the beginning of the fee year to which it relates.

19—(1) A veterinary surgeon who has paid the relevant retention fee specified in Regulation 2 of the Schedule on the basis that he has been practising outside the United Kingdom and who returns to do so in the United Kingdom shall pay an additional sum representing the difference between the retention fees which are applicable (expressed in quarters of the fee) calculated by reference to the number of full quarters remaining in that fee year.

(2) A veterinary surgeon who has paid the relevant retention fee specified in the Regulation 2 of the Schedule and who informs the registrar of his intention to practise outside the United Kingdom shall be entitled to a refund of a sum representing the difference between the retention fees which are applicable (expressed in quarters of the fee) calculated by reference to the number of full quarters remaining in that fee year.

(3) A veterinary surgeon who has paid the relevant retention fee specified in Regulation 2 of the Schedule and who provides the registrar with a declaration to the effect that he is no longer practising shall be entitled to a refund of a sum representing the difference between the retention fees which are applicable (expressed in quarters of the fee) calculated by reference to the number of full quarters remaining in the fee year.

(4) A veterinary surgeon who has provided the registrar with a signed declaration that he is not practising and who subsequently notifies the registrar of his intention now to do so shall pay an additional sum representing the difference between the retention fees which are applicable (expressed in quarters of the fee) calculated by reference to the number of full quarters remaining in that fee year.

(5) A veterinary surgeon who is undertaking in the United Kingdom a full-time post-graduate degree course in a veterinary or allied subject, and who is required as part of the course to undertake acts of veterinary surgery, shall for a maximum of three years from the commencement of that course or for the actual duration of that course if this is shorter, pay the relevant retention fee specified in the Regulation 2(iv) of the Schedule.

20. The fees for restoration of a name to the general list, Commonwealth list or foreign list or to the supplementary veterinary register shall be of such amounts as are specified in the Schedule.

PART X

TEMPORARY REGISTRATION

21. The registration fee for entry in the temporary list shall be—

- (a) in the case of a person registered under section 7(1)(a) of the Act payment of the fee prescribed in Regulation 1 of the Schedule for registration in the general list in the Schedule shall entitle him to registration in the general list if he so qualifies in the same fee year, without payment of a further registration fee;

- (b) in the case of a person registered under section 7(1)(b) of the Act payment of the temporary registration fee specified in Regulation 5 of the Schedule shall entitle him to the entry of his name in the temporary list for the period such registration is granted or for one calendar year, whichever is the shorter. A further fee shall be payable by him for each subsequent calendar year he remains on the list, but this shall not in any case exceed the temporary registration fee specified in Regulation 5 of the Schedule.

PART XI

PROVISIONS RELATING TO THE REPUBLIC OF IRELAND

22. A veterinary surgeon who resides within the Republic of Ireland shall pay no retention fee to the Council unless he—
- (a) is a member of the College; and
 - (b) wishes to retain his right to vote in Council elections under the provisions of the Veterinary Surgeons (Agreement with the Republic of Ireland) Order 1988.

PART XII

PROVISIONS RELATING TO THE PAYMENT OF FEES

23. Payment of any fee due under these Regulations may be made by any method acceptable to the Council, including payment by electronic means, provided that where a member or other registrant pays by credit card an administrative charge of 3% of the fee to be paid, or such other amount or proportion as may be determined by the Council from time to time, shall be payable in addition to the relevant amount of the relevant fee specified in the Schedule.
24. Any veterinary surgeon who wishes to benefit from the reduced fee set out in Regulation 2(iii) of the Schedule shall provide the Registrar with a signed declaration to the effect that they are not practising and whose circumstances fall into one or more of the categories approved by Council from time to time.

PART XIII

REVOCATION OF PREVIOUS REGULATIONS AND AMENDMENTS

25. The Veterinary Surgeons and Veterinary Practitioners Registration Regulations 2000, the Veterinary Surgeons and Veterinary Practitioners Registration (Amendment) Regulations 2002 and the Veterinary Surgeons and Veterinary Practitioners Registration (Amendment) Regulations 2003 are hereby revoked.

PURSUANT to a resolution passed at a meeting of the Council of the Royal College of Veterinary Surgeons on 30th October 2003, the Common Seal of the said Royal College was affixed hereto on the said 30th October 2003 in the presence of:—



R. E. W. Halliwell
President

J. Parker
R. P. Moore
Members of Council

SCHEDULE
TABLE OF FEES PAYABLE

Regulation	Amount Payable
1. Regulation 15 (Registration Fee)	£58 (Previous £240)
2. Regulation 17 (Retention Fee)	
(i) for a veterinary surgeon practising in the United Kingdom unless (iii) below applies	£230 (Previous £217)
(ii) for a veterinary surgeon practising outside the United Kingdom unless (iii) below applies	£115 (Previous £108)
(iii) for any other veterinary surgeon who has provided the registrar with a declaration in accordance with Regulation 24	£37 (Previous £35)
(iv) for a veterinary surgeon who is undertaking in the United Kingdom a full-time post-graduate degree course in a veterinary or allied subject, and who is required as part of the course to undertake acts of veterinary surgery	£115 (Previous £108)
(v) for a person registered in the supplementary veterinary register under section 6 of the Veterinary Surgeons Act 1948	£27
(vi) for a person registered in the supplementary veterinary register under section 8 of the Act	£13
3. Regulation 13 (Restoration to register)	£115 (Previous £108)
4. Regulation 13 (Restoration to supplementary veterinary register)	£15
5. Regulation 21 (Temporary registration)	
(i) for a veterinary surgeon undergoing a course of study of six months' duration or less, arranged by a veterinary practice or group of such practices, for the purpose of improving clinical skills, and where the veterinary surgeon concerned is a national of a developing country which is included in a list approved by the Council	£122 (Previous £114)
(ii) in all other cases	£244 (Previous £228)

EXPLANATORY NOTE

(This note is not part of the Order)

1. This Order approves the Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations 2003 (“the Regulations”), made by the Royal Council of Veterinary Surgeons (“the RCVS”) under section 11 of the Veterinary Surgeons Act 1966 (c. 36). It comes into force on 1 April 2004.

2. The Regulations regulate the registration of veterinary surgeons and veterinary practitioners and the fees payable for annual registration and retention of names on the Registers of the RCVS.

3. The Regulations revoke previous RCVS Regulations (regulation 25). The main changes introduced by the Regulations are as follows:

- Increase in the fees payable for annual registration and retention of names on the Registers of the RCVS by 6-7%, from 1 April 2004 (Schedule to the Regulations);
- Reduction of new registration fee from £240 to £58, linked to payment of a retention fee (Part IX and Schedule to the Regulations);
- Changes in the categories of RCVS membership (regulation 2(1), Parts IX and XI, regulation 24 and Schedule to the Regulations). Membership will be based on whether members are practising or non-practising, rather than practising or retired:
 - members resident and practising in the UK will be listed as ‘home practising’;
 - members resident and practising outside the UK will be listed as ‘overseas practising’; and
 - members who have declared they are no longer undertaking acts of veterinary surgery as defined in section 27(1) of the Act or are otherwise engaged in ‘any activity which is, in the opinion of the Council, veterinary related’ will be listed as ‘non-practising’ members.

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