

**EXPLANATORY MEMORANDUM TO**  
**THE VETERINARY SURGEONS (RECOGNITION OF UNIVERSITY DEGREE)**  
**(NOTTINGHAM) ORDER OF COUNCIL 2011**

**2011 No. 1796**

1. This explanatory memorandum has been prepared by the Department for Environment, Food and Rural Affairs and is laid before Parliament by Command of Her Majesty.
2. **Purpose of the instrument**
  - 2.1 This instrument recognises the joint degree of Bachelor of Veterinary Medicine and Bachelor of Veterinary Surgery (B.V.M., B.V.S.) conferred by Nottingham University. Recognition of the degree entitles its holders to be registered in the register of veterinary surgeons kept by the Royal College of Veterinary Surgeons (“RCVS”). Such registration is a necessary precondition to the lawful practice of veterinary surgery in the United Kingdom. On registration, the holder of the degree becomes a member of the RCVS.
3. **Matters of special interest to the Joint Committee on Statutory Instruments**
  - 3.1 None.
4. **Legislative Context**
  - 4.1 Under section 3 of the Veterinary Surgeons Act 1966 (“VSA”), the Privy Council may make a recognition order directing that any person who has undergone courses of study and examinations at a specified United Kingdom university, as a result of which the university has conferred a veterinary degree on that person, may be registered in the register of veterinary surgeons and become a member of the RCVS.
  - 4.2 Under section 19 of the VSA it is unlawful (with certain limited exceptions) for a person to practise, or hold themselves out as practising, veterinary surgery without being registered in the register of veterinary surgeons or the supplementary veterinary register.
  - 4.3 To make a recognition order, the Privy Council must, after consultation with the Council of the RCVS, be of the view that the courses of study and examinations sufficiently guarantee that holders of the degree will have acquired the knowledge and skill needed to practice veterinary surgery efficiently and that they will satisfy the requirements of Article 38 of Directive 2005/36/EC on the recognition of professional qualifications. Article 38 sets out the minimum training requirements for veterinary surgeons to be recognised across Europe.
5. **Territorial Extent and Application**
  - 5.1 This instrument applies to all of the United Kingdom.

## **6. European Convention on Human Rights**

6.1 The Privy Council has made the following statement regarding Human Rights:

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

## **7. Policy background**

7.1 Regulation of the veterinary profession is necessary to protect animal and public health and welfare. The Veterinary Surgeons Act 1966 establishes that (with a very few specific exceptions) only registered veterinary surgeons may practise veterinary surgery in the United Kingdom. Regulation of the veterinary profession under the Act includes registration of veterinary surgeons and regulation of their professional education.

7.2 The Privy Council has been advised by the RCVS that the Nottingham University veterinary degree meets the requirements of the VSA referred to in paragraph 4.3 above.

## **8. Consultation outcome**

8.1 It was not considered appropriate to consult the public on this Order given that the Privy Council relies, in accordance with the VSA, on consultation with the RCVS to satisfy itself that the Order may be made.

8.2 The inspection procedure applied by the RCVS before advising the Privy Council involved representation from other European Union member states and Australia, as well as UK-based veterinary surgeons, both in practice and in universities. The inspection report has been considered and approved by all relevant RCVS committees and the RCVS Council.

## **9. Guidance**

9.1 No special guidance is necessary.

## **10. Impact**

10.1 The instrument has no impact on business, charities or voluntary bodies, except that, by increasing the number of veterinary surgeons on the market, it could assist small businesses in being able to hire appropriately trained and local assistants.

10.2 The instrument has no impact on the public sector.

10.3 An Impact Assessment has not been prepared for this instrument.

## **11. Regulating small business**

11.1 The legislation does not apply to small business.

## **12. Monitoring & review**

12.1 The RCVS routinely monitors the standards of recognised veterinary degrees and periodically advises the Privy Council as to whether a degree should continue to be recognised. There will be no monitoring or review of the provisions of this instrument unless advice is received from the RCVS of the need to withdraw recognition.

### **13. Contact**

13.1 Paul Dray at the Department for Environment, Food and Rural Affairs, Tel: 020 7238 5413 or email: [paul.dray@defra.gsi.gov.uk](mailto:paul.dray@defra.gsi.gov.uk) can answer any queries regarding the instrument.