



BILLE NA dTREIDLIA, 1952.
VETERINARY SURGEONS BILL, 1952.

Mar a ritheadh ag dhá Thigh an Oireachtais.
As passed by both Houses of the Oireachtas.

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BILLE NA dTREIDLIA, 1952.
VETERINARY SURGEONS BILL, 1952.

BILL

entitled

AN ACT TO MAKE FURTHER PROVISION FOR 5
THE TEACHING OF VETERINARY SURGERY AND
VETERINARY MEDICINE AND FOR THE REGULA-
TION AND CONTROL OF THE PROFESSION AND
TO PROVIDE FOR CERTAIN OTHER MATTERS
CONNECTED WITH THE MATTERS AFORESAID. 10

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS :—

1.—(1) In this Act—

Interpretation.

“ the Act of 1931 ” means the Veterinary Surgeons Act, 1931
(No. 36 of 1931);

“ the Council ” means the Veterinary Council; 15

“ the Minister ” means the Minister for Agriculture;

“ prescribed ” means prescribed by regulations made by the
Council;

“ the register ” means the register of veterinary surgeons main- 20
tained by the Council, and the word “ registered ” shall be con-
strued accordingly;

“ veterinary surgery ” includes veterinary medicine.

(2) The register shall be known as the Register of Veterinary
Surgeons for Ireland.

2.—(1) Where— 25

Qualification of
holders of
veterinary degrees
as veterinary
surgeons.

(a) a university in the State confers a veterinary degree, and

(b) the Minister is satisfied, after consultation with the
Council, that the courses of study leading to the degree
have been pursued at a college or other institution
approved by him for the purpose after consultation 30
with the Council, and

(c) it appears to the Minister, after consultation with the
Council, that the examinations for the degree are such
as sufficiently to guarantee that holders of the degree
will have acquired the knowledge and skill needed for 35
the efficient practice of veterinary surgery,

the Government may by order direct that any person on whom the
degree is conferred during the continuance in force of the order
shall, on applying in the prescribed manner and paying the
required fee, be registered in the register. 40

(2) The Government may by order revoke an order under subsection (1).

3.—(1) The following provisions of this section shall have effect for the purpose of securing that the courses of study to be followed by students for a degree in the case of which an order under subsection (1) of section 2 is for the time being in force, and the standard of proficiency required for admission thereto, shall be such as sufficiently to guarantee that holders of the degree will have acquired the knowledge and skill needed for the efficient practice of veterinary surgery; and it shall be the duty of the Council to exercise the powers conferred on them by the said provisions so far as is necessary for the purpose aforesaid.

Supervisory
functions of
Council.

(2) The Council shall have power to appoint persons to visit any college or other institution in the case of which an order under subsection (1) of section 2 is for the time being in force, and to report upon the courses of study, staffing, accommodation and equipment available for training in veterinary surgery and the other arrangements and facilities for such training.

(3) (a) The Council may appoint persons to attend at examinations leading to a degree in the case of which an order under subsection (1) of section 2 is for the time being in force and to report to the Council as to the sufficiency of the examinations and as to such other matters relating thereto as the Council may require.

(b) Nothing in this subsection shall authorise a person appointed thereunder to interfere with the conduct of any examination.

(4) On receipt of any report made under this section—

(a) the Council shall send a copy thereof to the university concerned;

(b) the university may within one month of the receipt of the copy make to the Council observations on the report or objections thereto;

(c) as soon as may be after the expiration of the said month the Council shall send to the Minister a copy of the report and of any observations thereon or objections thereto duly made, together with the Council's comments on the report and on any such observations or objections.

(5) Every university granting a degree in the case of which an order under subsection (1) of section 2 is for the time being in force shall, on a request in writing in that behalf made by the Council, furnish the Council with such information as may be specified in the request as to the courses of study and examinations leading to the degree.

4.—(1) The agreement set forth in the Schedule to this Act (in this section referred to as the scheduled agreement) is hereby confirmed and shall have the force of law.

Confirmation
of scheduled
agreement.

(2) (a) The Government may by order give effect to any further agreement that may be entered into between the parties to the scheduled agreement in relation to the training, registration and control of veterinary surgeons and matters incidental thereto.

(b) An order under this subsection shall not have effect unless it is confirmed by resolution of each House of the Oireachtas but, upon being so confirmed, it shall have the force of law and shall have effect in lieu of the corresponding provisions of the Act of 1931 specified in the order.

Power to provide for reconstitution of Council.

5.—(1) The Government may by order provide for the reconstitution of the Council for the purpose of giving effect to any order or agreement made as provided for in *subsection (2) of section 4* or whenever, after consultation between the Minister and the Council, they are satisfied that it is necessary to do so. 5

(2) An order under *subsection (1)* shall not have effect unless it is confirmed by resolution of each House of the Oireachtas but, upon being so confirmed, it shall have the force of law and shall have effect in lieu of the corresponding provisions of the Act of 1931 specified in the order. 10

(3) An order under *subsection (1)* may, in particular—

(a) provide for the election of elected members of the Council, for regulating the term of office of such members, for filling casual vacancies, and for the election and tenure of office of the President of the Council, 15

(b) specify the quorum for meetings of the Council and the minimum number of members of the Council by whose votes names may be erased from the register, and

(c) make such further provision as may be necessary for the proper and efficient conduct of the business of the Council. 20

(4) In reconstituting the Council under this section the Government shall ensure that a majority of the members of the Council shall consist of representatives elected by the votes of registered persons resident in the State, and that the Council shall include one representative of the Minister and one representative of each university granting a degree in the case of which an order under *subsection (1) of section 2* is for the time being in force. 25

Power to provide for certain obligations of Council and registered persons.

6.—Notwithstanding anything in the Act of 1931, the Minister may, at the request or with the concurrence of the Council, make regulations to provide for all or any of the following matters, whether generally or with reference to any particular year or years— 30

(a) the time at which the annual statutory meeting of the Council is to be held; 35

(b) the year in respect of which and the time at which, registration fees and annual fees of registered persons are to be payable;

(c) the date by reference to which the annual issue of the register is to be compiled, 40

and the regulations shall have effect in lieu of the corresponding provisions of the Act of 1931 specified in the regulations.

Additional disciplinary power to Council.

7.—(1) The power of the Council to erase the name of a person from the register in accordance with section 36 of the Act of 1931 shall include a power exercisable in the like manner to direct that during such period as may be specified in the direction registration of his name in the register shall not have effect. 45

(2) Whenever a direction is given as provided for in *subsection (1)*, the Council shall forthwith send by post to such person notice in writing of the suspension of the effect of his registration and of the reason therefor. 50

(3) At any time after receipt of the notice such person may apply to the Council to remove the suspension and the Council may, on considering the application, either refuse to grant it or by special direction grant it on such conditions as the Council may think fit. 55

(4) A person aggrieved by the suspension of the effect of his registration, or by the period of the suspension, may appeal to the High Court.

5 (5) On any such appeal, the High Court may give such directions in the matter as they think proper and any order of the Court under this section shall be final.

(6) In every case in which the effect of a person's registration in the register is suspended under this section, the Council shall immediately notify the Minister of the suspension and the general
10 nature of the reason therefor.

8.—Without prejudice to the generality of sections 46 and 47 of the Act of 1931, any person who for reward habitually treats animals the property of another person shall be deemed, for the purposes of that Act, to represent or hold himself out as practising
15 veterinary surgery and to hold himself out as a registered veterinary surgeon.

Practice of veterinary surgery by unregistered persons.

9.—The Council shall have power to acquire, hold and dispose of land.

Power to Council to hold land.

10.—(1) The Council may accept gifts of money, land and other
20 property upon such trusts and conditions, if any, as may be specified by the donors.

Gifts to Council.

(2) The Council shall not accept a gift if the conditions attached by the donor to its acceptance are inconsistent with the functions of the Council.

25 11.—(1) This Act may be cited as the Veterinary Surgeons Act, 1952.

Short title, construction and collective citation.

(2) This Act shall be construed as one with the Act of 1931.

(3) The Act of 1931 and this Act may be cited together as the Veterinary Surgeons Acts, 1931 and 1952.

30

SCHEDULE.

Section 4.

Agreement made the 20th day of May, 1949, with respect to the appointment or election of additional members of the Council of the Royal College of Veterinary Surgeons and the payment of fees to the said Council.

35 His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Ireland have agreed as follows:—

40 1. (1) In addition to the members of the Council of the Royal College of Veterinary Surgeons (hereinafter referred to as the College) specified in sections nine and twelve of the Veterinary Surgeons Act, 1948 (11 and 12 Geo. 6 c. 52), there shall be five additional members (hereinafter referred to as the Irish representatives) of the said Council, consisting of the following persons, that is to say—

45 (i) One person, appointed by the Minister for Agriculture of the Republic of Ireland, who (unless he sooner dies, resigns, becomes disqualified or is removed from office by the said Minister) shall hold office for four years and shall be eligible for re-appointment;

50 (ii) Four persons who are for the time being the general elected
60 members of the Veterinary Council in the Republic of Ireland under the Veterinary Surgeons Act, 1931 (Number 36 of 1931).

(2) The Irish representatives shall vacate office as members of the reconstituted Council of the College, and this Clause of this Agreement, unless renewed, shall terminate, at the annual general meeting of the College held next after provision has become effective in accordance with the laws of the Republic of Ireland whereby any person on whom a veterinary degree is conferred by a University in the Republic of Ireland during the continuance in force of such law shall in accordance with such law be registered in the Veterinary Register kept by the Veterinary Council in the Republic of Ireland. 5 10

2. (1) All persons for the time being registered both in the United Kingdom Register of Veterinary Surgeons and in the Veterinary Register kept by the Veterinary Council in the Republic of Ireland shall, in respect of every year or part of a year during which they reside outside the area of jurisdiction of the Government of the Republic of Ireland or (wherever residing) practise, or hold themselves out as practising or as being prepared to practise, veterinary surgery outside the said area, pay to the Council of the College such annual fee (if any) as the said Council may prescribe in pursuance of section twenty-five of the said Veterinary Surgeons Act, 1948, but subject to a deduction of the sum of one guinea in the case of any person in respect of whom that sum is paid by the Veterinary Council in the Republic of Ireland to the Council of the College in respect of the same period. 15 20

(2) The provisions of the said section twenty-five shall apply, subject as aforesaid, to all such persons as are referred to in this clause. 25

(3) In this clause the word "year" means a period of twelve months commencing on the date in each calendar year on which the said annual fee is payable to the Council of the College. 30

3. The provisions of the Agreement between His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland and His Majesty's Government in the Irish Free State as to the registration and control of veterinary surgeons, confirmed and given statutory effect by the Veterinary Surgeons (Irish Free State Agreement) Act, 1932 (22 Geo. 5. c. 10), and the said Veterinary Surgeons Act, 1931, respectively, shall (subject to the provisions of the said Veterinary Surgeons Act, 1948) have effect subject to the provisions of this Agreement. 35

4. (1) This Agreement (except clause 2 hereof) shall take effect at the annual general meeting of the College held next after the date of the Order in Council whereby His Majesty makes provision, under section twenty of the said Veterinary Surgeons Act, 1948, for the purpose of giving effect to this Agreement. 40

(2) Clause 2 of this Agreement shall take effect at the first date on which the annual fee therein mentioned is payable to the Council of the College occurring next after the date referred to in the last foregoing sub-clause. 45

Signed on behalf of His Majesty's Government in
the United Kingdom of Great Britain and
Northern Ireland.

PHILIP NOEL-BAKER,
Secretary of State for Commonwealth Relations.

Signed on behalf of the Government of the
Republic of Ireland.

JOHN W. DULANTY,
High Commissioner for Ireland.

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BILLE

dá ngairmtear

Acht do dhéanamh socrúithe bhreise chun an tréidliacht agus máinliacht na tréidliachta a mhúineadh agus do rialú agus do rialáil na gairme sin agus do dhéanamh socrúithe i dtaobh nithe áirithe eile a bhaineas leis na nithe réamhráite.

*Rite ag dhá Thigh an Oireachtais,
ú Iúil, 1952.*

BAILE ATHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR.

Le ceannach díreach ón Oifig Díolta Foilseachán Rialtais, An Stuaire, Árd Oifig an Phoist, Baile Átha Cliath, nó trí aon díoltóir leabhar.

[*Naoi bPingne Glan.*]

BILL

entitled

An Act to make further provision for the teaching of veterinary surgery and veterinary medicine and for the regulation and control of the profession and to provide for certain other matters connected with the matters aforesaid.

*Passed by both Houses of the Oireachtas,
July, 1952.*

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