

## **Resolution to be moved at the annual general meeting of the Royal College of Veterinary Surgeons on 11 July 2014**

The Royal College of Veterinary Surgeons resolves to submit this draft Supplemental Royal Charter to the Privy Council for its approval and adoption, subject to any changes required by the Privy Council and agreed with the Council of the College:

### **Draft replacement Supplemental Charter and bye-laws**

Elizabeth the Second by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING!

WHEREAS by a Charter dated the eighth day of March in the year of our Lord One thousand eight hundred and forty-four (hereinafter referred to as: “the Charter of 1844”) the Royal College of Veterinary Surgeons (hereinafter called “the College”) was incorporated with perpetual succession and a Common Seal:

AND WHEREAS Supplemental Charters were granted to the College in the years One thousand eight hundred and seventy-six, One thousand eight hundred and seventy-nine, One thousand eight hundred and eighty-three, One thousand eight hundred and ninety-two, One thousand nine hundred and fourteen, One Thousand nine hundred and twenty-three, One thousand nine hundred and thirty-two, One thousand nine hundred and sixty-one, One thousand nine hundred and sixty-three, One thousand nine hundred and sixty-five, One thousand nine hundred and sixty-seven (hereinafter referred to as “the Supplemental Charters”):

AND WHEREAS by the Veterinary Surgeons Act 1966 provision has been made for the continuance of the Council of the College in the form and subject to the requirements therein prescribed, for the appointment by the Council of a Registrar and for the maintenance of the registers required by Statute to be kept by him, and provision has been further made regarding membership of the College, the composition of the Register of Veterinary Surgeons, the regulation of fees payable for registration in such Register and for various other matters previously regulated by the Charter of 1844, the Supplemental Charters and the Veterinary Surgeons Act 1881:

AND WHEREAS a Petition has been presented unto Us by the College humbly praying that We would be graciously pleased to grant it a further Supplemental Charter:

AND WHEREAS We have taken the Petition of the Royal College into Our Royal Consideration and are minded to accede to it:

NOW THEREFORE WE by virtue of Our Royal Prerogative in that behalf and of all other powers enabling Us so to do of Our especial grace, certain knowledge, and mere motion do for Us Our Heirs and Successors will, grant, direct, appoint and declare as follows:

### **Revocation of existing Charters**

1. The provisions of the Supplemental Charter of 1967 are hereby revoked, except so far as it retained those provisions of the Charter of 1844 which incorporate the College, recognise the veterinary art as a profession and authorise the College to have a Common Seal, to hold property, and to sue and be sued.

### **Continuation of Royal College of Veterinary Surgeons**

2. The Royal College of Veterinary Surgeons incorporated by the Charter of 1844 shall continue as a body corporate ("the College") as it has up to now.

### **Objects**

3. The objects of the College shall be to set, uphold and advance veterinary standards, and to promote, encourage and advance the study and practice of the art and science of veterinary surgery and medicine, in the interests of the health and welfare of animals and in the wider public interest.

### **Activities**

4. This Supplemental Charter recognises that the Veterinary Surgeons Act 1966 ('the Act') makes provision for a number of activities of the College relating to the Council of the College, the College's European functions, registration and qualification for registration, disciplinary and similar proceedings against veterinary surgeons, restriction on the practice of veterinary surgery, agreements with the Republic of Ireland and other relevant matters.
5. In addition to those functions conferred on it by or under the Act or by or under any other Act of Parliament the College may undertake any activities which seem to it necessary or expedient to help it to achieve its objects. These activities may include, but are not limited to, the following:
  - a. Accrediting veterinary education, training and qualifications, other than as provided for in the Act in relation to veterinary surgeons;
  - b. Working with others to develop, update and ensure co-ordination of international standards of veterinary education;
  - c. Administering examinations for the purpose of registration, awarding qualifications and recognising expertise other than as provided for in the Act;

- d. Promulgating guidance on post-registration veterinary education and training for those admitted as members and associates of the College;
- e. Encouraging the continued development and evaluation of new knowledge and skills;
- f. Awarding fellowships, honorary fellowships, honorary associateships or other designations to suitable individuals;
- g. Keeping lists or registers of veterinary nurses and other classes of associate;
- h. Promulgating guidance on professional conduct;
- i. Setting standards for and accrediting veterinary practices and other suppliers of veterinary services;
- j. Facilitating the resolution of disputes between registered persons and their clients;
- k. Providing information services and information about the historical development of the veterinary professions;
- l. Monitoring developments in the veterinary professions and in the provision of veterinary services;
- m. Providing information about, and promoting fair access to, careers in the veterinary professions.

### **The Council**

- 6. The affairs of the College shall be managed by the Council as constituted under the Act. The Council shall have the entire management of and superintendence over the affairs, concerns and property of the College (save those powers of directing removal from, suspension from or restoration to the register of veterinary surgeons and supplementary veterinary register reserved to the disciplinary committee established under the Act) and shall have power to act by committees, sub-committees or boards and to delegate such functions as it thinks fit from time to time to such committees, sub-committees or boards and to any of its own number and to the employees and agents of the College.

### **Bye-laws and their alteration**

- 7. The College shall make bye-laws for the conduct of its business. On the coming into force of this Supplemental Charter the bye-laws contained in the Schedule shall constitute the bye-laws of the College to the exclusion of all bye-laws made under previous Charters and all such bye-laws are hereby repealed.
- 8. The College may by resolution of the members voting in general meeting alter any or all of its bye-laws by amendment, addition, deletion, revocation and replacement provided such alteration is not

inconsistent with any provision of this Supplemental Charter or any provision in or made under any Act of Parliament. No new bye-law or amendment or repeal of any of the bye-laws shall come into effect unless approved by the Lords of Our Most Honourable Privy Council, and a certificate under the hand of the Clerk of the Privy Council shall be conclusive evidence of such approval.

9. The Council may make, alter and revoke rules, protocols and procedures related to its activities under the Charter and the transaction of the business of the College other than as provided for by or under any Act of Parliament, the Charters or the bye-laws.

### **Members of the College**

10. The members of the College shall be persons who, on being registered in the register of veterinary surgeons in accordance with the Act, are entitled by the Act to become members of the College on being so registered. A person who ceases to be registered in the register of veterinary surgeons, or whose registration is suspended at the direction of the disciplinary committee established under the Act, shall cease to be a member of the College, but shall again become a member on the restoration of that person's name to the register or when the suspension ceases to have effect.
11. Members of the College may use such lawful descriptions, and such abbreviations of them, as may be provided for in the bye-laws of the College.

### **Associates of the College**

12. The College shall continue to keep a list of veterinary nurses, and the list is to be known as the register of veterinary nurses. A veterinary nurse who is registered in the register of veterinary nurses shall be an associate of the College.
13. There shall continue to be a committee of the Council whose functions shall encompass the regulation of the profession of veterinary nurse and that committee shall be known as the Veterinary Nurses' Council.
14. The Veterinary Nurses' Council shall set standards for the training and education of persons wishing to be entered in the register of veterinary nurses.
15. The Veterinary Nurses' Council shall set requirements in relation to the registration of veterinary nurses. Persons who satisfy the standards set by the committee in relation to education and training shall be entitled to be entered in the register of veterinary nurses, subject to compliance with such other requirements as may be set in bye-laws of the College including, but not limited to, the payment of a registration fee and a requirement that they be of good character.
16. The Veterinary Nurses' Council shall set standards for the conduct of veterinary nurses. Breaches of standards set by the committee may render a person entered in the register of veterinary nurses liable to disciplinary proceedings in accordance with any relevant bye-laws or rules.
17. Bye-laws of the College may provide for there to be classes of associate of the College other than those persons entered in the register of veterinary nurses and may determine conditions to be met

by them. The Council may by rules make provision for registers of other such associates to be kept in a manner similar to the register of veterinary nurses. Associates of the College may use such lawful descriptions, and such abbreviations of them, as may be provided for in bye-laws of the College.

### **Staff**

18. The Council shall appoint the Registrar of the College on such terms and conditions as it may from time to time determine. The Registrar shall not be a member of the Council. The Council may in similar manner appoint an Assistant Registrar or Assistant Registrars.
19. The College may employ such staff as it sees fit for administering its business and may allow them such salaries, wages, allowances, pensions or compensation for loss of office on such terms as the Council shall determine, other than as specified by or under any Act of Parliament.

### **Fees and charges**

20. The Council shall have power to set, vary and charge fees and other amounts to members or other persons in respect of any service, right or activity provided by or on behalf of the College other than in pursuance of a function conferred by or under any Act of Parliament, and the College may make charges for any goods and services supplied to any person, including members and associates of the College.

### **Financial and other transactions**

21. The College shall have full power by and in its name to receive, lend, borrow and invest money; to take by gift or otherwise and hold, grant, demise or otherwise dispose of real or personal property; enter into contractual relations; and generally to do such lawful acts and things in any part of the world as in the Council's opinion may be calculated to facilitate, or may be conducive or incidental to, the achievement of the objects of the College.
22. The College may establish, promote, encourage and support, financially or otherwise, any body, whether charitable or not, whose objects are similar to its own.
23. The College shall have full power and authority in any manner whatsoever to support, maintain, assist, subscribe to or transfer or dispose of any real or personal property of the College, either for consideration or by way of gift or otherwise, to or so as to benefit the Royal College of Veterinary Surgeons Trust, or any other association or institution the objects of which are to promote, encourage and advance the study and practice of the art and science of veterinary surgery and medicine and to advance education in connection with the said art and science.
24. Any persons engaged on business of the College shall be entitled to such payments in respect of expenses and loss of earnings, to such attendance and subsistence allowances and to such reasonable remuneration as may be included in rules or determined by the Council. Reasonable provision may be made for insurance to indemnify loss or damage resulting from any act or

omission of the College, its employees or other persons while engaged in carrying out the business of the College.

### **Common Seal**

25. The Common Seal of the College shall bear the armorial bearings of the College, as granted by the College of Arms on 1 July 1845. The Seal of the College shall not be affixed to any instrument whatsoever except by order of the Council (which power may be delegated for a specific purpose or for specific purposes to a committee or committees) and except in the presence of at least two members of the Council and of one of the President, the Vice-Presidents, the Treasurer or the Registrar, all of whom shall by their signatures attest such sealing.

### **Alteration of the Charter**

26. The College may by resolution of the members voting in General Meeting alter any or all of the provisions of this Supplemental Charter by amendment, addition or deletion; but any such alteration shall come into effect only if allowed by Us, Our Heirs and Successors in Council. If this Supplemental Charter is so altered this provision shall continue to apply to the altered version and to all future altered versions.

### **General provisions**

27. The definitions in the Act shall apply to this Supplemental Charter.
28. In any case of conflict between the bye-laws or rules and this Supplemental Charter this Supplemental Charter shall prevail.
29. Nothing in this Supplemental Charter shall be taken to authorise any act of the College which is contrary to law or in breach of a statutory duty.
30. Insofar as any rule, guidance or other instrument issued under any charter provision superseded by this Supplemental Charter or any other thing done under any such provision could have been made, issued or done under a corresponding provision of this Supplemental Charter it shall not be invalidated by the repeals effected by this Supplemental Charter but shall have effect as if made, issued or done under that corresponding provision.
31. Our Royal will and Pleasure is that this Supplemental Charter shall ever be construed benevolently and in every case most favourably to the College and the promotion of the objects.

IN WITNESS whereof We have caused these Our Letters to be made Patent.

WITNESS Ourselves at Westminster the [ ] day of [ ] in the [ ] year of Our Reign

BY WARRANT UNDER THE QUEEN'S SIGN MANUAL

## **Schedule**

### **Bye-laws of the Royal College of Veterinary Surgeons**

1. These bye-laws may be cited as the Bye-laws of the Royal College of Veterinary Surgeons and shall come into force on DATE.

### **Interpretation**

2. The Interpretation Act 1978 shall apply to these bye-laws as it applies to an Act of Parliament and, unless the context requires to the contrary, words and expressions used in these bye-laws shall have the same meanings as in the Veterinary Surgeons Act 1966 ('the Act') and the Supplemental Charter to which these bye-laws are scheduled, as added to or amended from time to time.

### **General and other meetings**

3. General meetings of the members of the College may be summoned by the Council, and the Council shall summon a general meeting on receipt of a requisition signed by not less than two hundred members of the College stating its purpose. If such a requisition is received but the Council fails within twenty-one days to summon a general meeting to be held within a further six weeks, the members of the College signing the requisition may themselves convene such a meeting.
4. The time, date and place of a general meeting and the business to be transacted shall be advertised at least thirty days in advance in one or more professional journals. The quorum at the meeting shall be twenty-five members of the College personally present. The meeting may adjourn from time to time and from place to place, but the same quorum shall apply and no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
5. The Council shall summon an annual general meeting of the members of the College, subject to the same requirements as other general meetings.
6. The Council may make rules as to the summoning of general meetings and procedure at such meetings.
7. The President may direct that a meeting of the Council or of any committee or sub-committee shall be convened on a specified date and for a specified purpose.

### **Members of the College**

8. Those made Fellows of the College may use the post-nominal letters FRCVS. Other members may use the post-nominal letters MRCVS.

### **Associates of the College – Registration**

9. A person whose name is entered in the register of veterinary nurses shall be entitled to be styled a registered veterinary nurse and to use the post-nominal letters RVN.
10. The register of veterinary nurses shall continue to include the names of the veterinary nurses entered in the list maintained by the College, referred to in Schedule 3 to the Act, when these bye-laws come into force, save for those veterinary nurses whose names have previously been removed from and not restored to that part of the list known as the register of veterinary nurses in accordance with relevant disciplinary rules.
11. The Council shall make rules in relation to:
  - a. Entry to the register of veterinary nurses;
  - b. Removal from the register of veterinary nurses;
  - c. Retention of registration in the register of veterinary nurses; and
  - d. Restoration to the register of veterinary nurses.
12. Rules may include requirements relating to fees as well as any other requirements as may be prescribed by the Council.

### **Associates of the College – Conduct and Discipline**

13. The Council, either of its own motion or through the Veterinary Nurses' Council or any of its other committees, shall make rules as to the investigation and determination of allegations that a registered veterinary nurse is guilty of serious professional misconduct or has been convicted of an offence which renders that person unfit to be a registered veterinary nurse. Such rules shall make provision in relation to:
  - a. The investigation of complaints;
  - b. The adjudication of complaints by an independent disciplinary tribunal;
  - c. Appeals from decisions of an independent disciplinary tribunal; and
  - d. Sanctions.
14. The rules made by the Council shall provide that, where such allegations are sustained, the person concerned may be removed from the register of veterinary nurses or their registration may be suspended for a period, or they may be subject to some other sanction of a kind specified in the rules.
15. A person whose name is removed from the register of veterinary nurses, or whose entry in the register is suspended at the direction of the independent disciplinary tribunal, shall cease to be an associate of the College but shall again become an associate on the restoration of that person's name to the register of veterinary nurses or when the suspension ceases to have effect.



## **Business of the College**

16. The Council may appoint persons to be members of committees of Council for such term as it may specify, and may at any time vary the term of office of a member of a committee. If no period is specified, members of committees shall hold office on a yearly basis from the annual general meeting until the next annual general meeting, and members appointed to fill casual vacancies shall hold office until the next annual general meeting. A member of a committee may be re-appointed.

## **Registrar**

17. In the event of a vacancy in the post of the Registrar or the prolonged absence of the Registrar for any reason the duties of the post shall be carried on by an Acting Registrar or otherwise, as the President (or, in the President's absence, a Vice-President) shall direct, subject to the directions of the Council.

## **Treasurer**

18. A Treasurer shall be elected from amongst the members of the Council by the Council in each year at the first meeting of the Council held after the Annual General Meeting. The Treasurer may at any time resign by submitting a written notice of resignation addressed to the Registrar, and a successor shall be elected by the Council at its next meeting after the resignation shall have been received. The Treasurer shall remain in office until the meeting of the Council at which a successor is elected notwithstanding that the Treasurer may at the Annual General Meeting held immediately prior to the meeting of the Council at which a successor is elected have ceased to be a member of the Council.

## **Financial controls**

19. The Council shall from time to time approve procedures to ensure good financial reporting, to protect the assets of the College, to guard against fraud and ensure compliance with relevant legislation.
20. The accounts of the College as signed by the auditors shall be presented to the annual general meeting. The accounts shall be circulated to the members of the College in or with the annual report of the Council, either in full form or in summary form. If the accounts are circulated in summary form a copy of the full accounts shall be available to any member on request and copies of the full accounts shall be available at the annual general meeting. If the accounts are made available electronically, hard copies shall be available on request.
21. The auditor(s) shall be a person or firm eligible for appointment as a statutory auditor under Section 1212 of the Companies Act 2006.