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*Changes to legislation: There are currently no known outstanding effects for the Farriers (Registration) Act 2017, SCHEDULE. (See end of Document for details)*

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## SCHEDULE

Section 1

### CONSTITUTION OF FARRIERS REGISTRATION COUNCIL ETC

#### PART 1

##### CONSTITUTION OF FARRIERS REGISTRATION COUNCIL

1 For Part 1 of Schedule 1 to the Farriers (Registration) Act 1975 substitute—

#### “PART 1

##### CONSTITUTION

#### Membership

- 1 (1) The Council is to consist of the following members—
  - (a) three persons appointed by the Company, at least one of whom must be a practising farrier,
  - (b) four practising farriers appointed in accordance with a scheme made by the Council,
  - (c) two registered persons appointed by the National Association of Farriers, Blacksmiths and Agricultural Engineers,
  - (d) two veterinary surgeons appointed by the Royal College of Veterinary Surgeons, and
  - (e) one lay person appointed by each of the persons mentioned in sub-paragraph (2).
- (2) Those persons are—
  - (a) the British Horseracing Authority Limited,
  - (b) the Royal Society for the Prevention of Cruelty to Animals,
  - (c) Lantra (the company registered in England and Wales with the company registration number 2823181),
  - (d) Scottish Enterprise, and
  - (e) the British Equestrian Federation.
- (3) A scheme made by the Council under sub-paragraph (1)(b)—
  - (a) may, in particular, provide for elections to be held for the purpose of determining the persons to be appointed;
  - (b) may be amended or replaced by the Council.
- (4) In making a scheme under sub-paragraph (1)(b), the Council must have due regard to the desirability of securing that the Council includes persons representative of all parts of Great Britain.
- (5) In this paragraph—

“lay person” means a person other than—

  - (a) a registered person,
  - (b) a person who, in the opinion of the person making the appointment, is qualified to be a registered person,

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- (c) a veterinary surgeon, or
  - (d) a veterinary practitioner;
- “practising farrier” means a registered person who carries out farriery.

### **Term of office**

- 2
- (1) Appointment as a member of the Council is for a term of 4 years.
  - (2) A person may not be appointed as a member more than twice.
  - (3) A member may resign at any time by notice given to the registrar.
  - (4) A member may be removed from office if the member fails to satisfy any conditions about fitness to be a member that are determined by the Council.
  - (5) The procedure for removal of a member from office is to be determined by the Council.

### **Casual vacancies**

- 3
- (1) Where a vacancy occurs among the members of the Council otherwise than by the expiry of a member's term of office, a person must be appointed to fill the vacancy.
  - (2) So far as practicable, the appointment must be made so as to enable the person appointed to assume office at the time the vacancy arises.
  - (3) The appointment is for a term expiring on the date on which the term of office of the member whose vacancy the person fills would have expired.
  - (4) The appointment does not count as an appointment for the purposes of paragraph 2(2) (limit on number of times a person may be appointed as a member of the Council).

### **Procedure**

- 4
- (1) The quorum for a meeting of the Council is—
    - (a) seven, or
    - (b) another number determined by the Council.
  - (2) The Council must elect one of its members to act as chair of the Council.
  - (3) The Council may make rules governing its meetings and procedure.
  - (4) The rules may in particular provide—
    - (a) for a member of the Council to act as its chair in the absence of the member mentioned in sub-paragraph (2);
    - (b) for a member acting as chair to have an additional casting vote.

### **Validity of acts**

- 5
- The validity of anything done by the Council is not affected by—
    - (a) a vacancy among its members, or

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(b) a defect in the appointment (or election) of a member.”

**Commencement Information**

**I1** Sch. para. 1 in force at 15.9.2017 by S.I. 2017/921, reg. 2

- 2 (1) Part 2 of Schedule 1 to that Act is amended as follows.
- (2) Omit paragraphs 7 and 8.
- (3) In paragraph 9—
- (a) the existing text becomes sub-paragraph (1);
- (b) after that sub-paragraph insert—
- “(2) The Council may make rules governing the meetings and procedure of an additional committee or area council.
- (3) The rules may in particular provide—
- (a) for a member of the additional committee or area council to act as its chair;
- (b) for a member acting as chair to have an additional casting vote.”

**Commencement Information**

**I2** Sch. para. 2 in force at 15.9.2017 by S.I. 2017/921, reg. 2

- 3 In section 18 of that Act (interpretation), insert at the appropriate places—
- ““registered person” means a person who is registered in the register;”;
- ““veterinary practitioner” means a person registered in the supplementary veterinary register kept under the Veterinary Surgeons Act 1966;”;
- ““veterinary surgeon” means a person registered in the register of veterinary surgeons kept under that Act.”

**Commencement Information**

**I3** Sch. para. 3 in force at 15.9.2017 by S.I. 2017/921, reg. 2

**PART 2**

CONSTITUTION OF INVESTIGATING COMMITTEE

- 4 In section 13(1) of the Farriers (Registration) Act 1975 (the Investigating Committee), omit “from among its members”.

**Commencement Information**

**I4** Sch. para. 4 in force at 15.9.2017 by S.I. 2017/921, reg. 2

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5 For Schedule 2 to that Act substitute—

“SCHEDULE 2

Section 13

CONSTITUTION OF THE INVESTIGATING COMMITTEE

*Membership*

- 1 (1) The Investigating Committee is to consist of six members appointed by the Council.
- (2) At least two of the members must be registered persons.
- (3) None of the members may be—
- (a) a member of the Council,
  - (b) an officer or servant of the Council, or
  - (c) a member of the Disciplinary Committee.
- (4) The Council must designate a member of the Investigating Committee to act as its chair.
- (5) The Council may delegate its function under sub-paragraph (1) to any extent.

*Term of office*

- 2 (1) Appointment as a member of the Investigating Committee is for a term determined by the Council.
- (2) A member may resign at any time by notice given to the registrar.
- (3) A member may be removed from office if the member fails to satisfy any conditions about fitness to be a member that are determined by the Council.
- (4) The procedure for removal of a member from office is to be determined by the Council.

*Procedure*

- 3 (1) The quorum for a meeting of the Investigating Committee is three, of whom one must be a registered person.
- (2) The Council may make rules governing the Committee's meetings and procedure.
- (3) The rules may in particular provide—
- (a) for a member of the Committee to act as its chair in the absence of the member designated under paragraph 1(4);
  - (b) for a member acting as chair to have an additional casting vote.

*Validity of acts*

- 4 The validity of anything done by the Investigating Committee is not affected by—
- (a) a vacancy among its members, or
  - (b) a defect in the appointment of a member.”

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**Commencement Information**

**I5** Sch. para. 5 in force at 15.9.2017 by S.I. 2017/921, reg. 2

**PART 3**

CONSTITUTION OF DISCIPLINARY COMMITTEE

- 6 In section 14 of the Farriers (Registration) Act 1975 (the Disciplinary Committee)
- (a) in subsection (1), omit “from among its members”;
  - (b) in subsection (2), for “and procedure of” substitute “ of, and proceedings before, ”.

**Commencement Information**

**I6** Sch. para. 6 in force at 15.9.2017 by S.I. 2017/921, reg. 2

- 7 For Part 1 of Schedule 3 to that Act substitute—

**“PART 1**

CONSTITUTION OF DISCIPLINARY COMMITTEE

**Membership**

- 1 (1) The Disciplinary Committee is to consist of nine members appointed by the Council.
- (2) At least three of the members must be registered persons.
- (3) None of the members may be—
- (a) a member of the Council,
  - (b) an officer or servant of the Council, or
  - (c) a member of the Investigating Committee.
- (4) The Council must designate a member of the Disciplinary Committee to act as its chair.
- (5) The Council may delegate its function under sub-paragraph (1) to any extent.

**Term of office**

- 2 (1) Appointment as a member of the Disciplinary Committee is for a term determined by the Council.
- (2) A member may resign at any time by notice given to the registrar.

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- (3) A member may be removed from office if the member fails to satisfy any conditions about fitness to be a member that are determined by the Council.
- (4) The procedure for removal of a member from office is to be determined by the Council.

### Procedure

- 3 (1) The quorum for a meeting of the Disciplinary Committee is five, of whom one must be a registered person.
- (2) A person who has acted in relation to a case as a member of the Investigating Committee may not act in relation to the case as a member of the Disciplinary Committee.
- (3) The Council may make rules governing the Disciplinary Committee's meetings and procedure.
- (4) The rules may in particular provide for a member of the Committee to act as its chair in the absence of the member designated under paragraph 1(4).
- (5) But the power to make rules under this paragraph may not be used to make provision that could be made by rules under paragraph 4.

### Validity of acts

- 3A The validity of anything done by the Disciplinary Committee is not affected by—
  - (a) a vacancy among its members, or
  - (b) a defect in the appointment of a member.”

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#### Commencement Information

**I7** Sch. para. 7 in force at 15.9.2017 by S.I. 2017/921, reg. 2

- 8 In Part 2 of Schedule 3 to that Act, in the heading, for “Procedure of” substitute “Proceedings before”.

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#### Commencement Information

**I8** Sch. para. 8 in force at 15.9.2017 by S.I. 2017/921, reg. 2

**Changes to legislation:**

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SCHEDULE.