1) The BVA is the national representative body for the veterinary profession in the United Kingdom and has over 15,000 members. Our primary aim is to represent, support and champion the interests of the veterinary profession in this country, and we therefore take a keen interest in all issues affecting the profession, including animal health and welfare, public health, regulatory issues and employment matters.

2) The BVA’s Northern Ireland Branch brings together representatives of local veterinary associations, BVA’s specialist divisions, government, and research organisations in Northern Ireland. The Branch advises BVA on the consensus view of the Northern Ireland members on local and United Kingdom issues.

3) We have also consulted with specialist group the British Cattle Veterinary Association (BCVA) and this response represents the consensus view.

4) BVA and Northern Ireland Branch, and BCVA, are pleased to have been given the opportunity to respond to DARD’s proposal to make the Tuberculosis (Examination and Testing) Scheme (Amendment) Order (NI) 2015. We understand that under the current system private veterinary practitioners (PVPs) carrying out TB testing for DARD are appointed as Veterinary Inspectors (VIs) under the Diseases of Animals (NI) Order 1981. DARD has traditionally made payments to PVPs for TB testing as fees and VAT has been applied. However, HMRC has now advised that the way in which PVPs are appointed as VIs means that they are, in fact, office holders and should be treated as such for tax and national insurance contributions purposes.

5) It was never DARD’s intention that PVPs carrying out TB testing, should be regarded as office holders of the Department, but rather that they would be self-employed or privately employed vets who are contracted to provide a specific service to DARD. It is clear that a PVP conducting TB testing on behalf of DARD does not need to be appointed as a VI in order to carry out this function. The 2015 Order is proposed to remove the requirement to appoint a PVP as a VI to conduct TB testing. Provision will instead be made to appoint PVPs as “approved veterinary surgeons” for the purposes of TB testing.

6) Defra and the devolved administrations in Scotland and Wales have already received similar advice from HMRC and each administration has already amended their legislation to change the way in which they appoint private vets to conduct TB testing. BVA has supported these changes and we therefore support the proposal from DARD to make the Order to amend the legislation in Northern Ireland.

7) As PVPs will no longer be able to serve the existing BT23 (restriction) notice when they disclose animals with reactor or inconclusive readings we also support the proposed amendment to paragraph 5 of the original 1999 Order, which will, in effect, prevent herds with a reactor or inconclusive test reading from moving animals off the farm holding until DARD notifies the herd-keeper of the results and sends an official notice to restrict further movement.

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