

People's Dispensary for Sick Animals – 208217

Background

The PDSA's current objects are:

“the objects of the Society shall be to continue the work hitherto carried on by the existing society in providing free medical or surgical treatment to animals belonging to persons who appear to the Society to be unable to afford the services of a veterinary surgeon and to do all such other things as are incidental or the Society may deem conducive to the attainment of those objects.”

The PDSA requested a Scheme which would amend the objects of the charity as well as amending its power of investment and the provisions regarding auditing of accounts. The proposed objects of the charity are:

“(a) the provision of free medical or surgical treatment, or such treatment at reduced charges, to animals belonging to persons who are unable to afford the services of a veterinary surgeon;

(b) the prevention of suffering of animals by the provision of preventative treatment, care and advice (whether at free, at a reduced charge, or at full charge);

(c) the education of the public in matters concerning animal health and welfare in general;

(d) the advancement of animal welfare for the public benefit by any other means.”

Because the Scheme involves changes to the provisions made in respect of the charity by statute, the proposed Scheme has to be made under the procedure set out in section 73 of the Charities Act 2011 and has to be laid before parliament.

The draft Scheme was published on our website from 24 July 2014 to 25 August 2014. The Commission received five representations with regard to the draft Scheme and following this the matter was referred for a decision review by the Commission. All the representations concerned the potential impact of the changes to the objects on the private veterinary sector. A number considered that a proper impact assessment should be produced regarding this issue.

Reviewers' decision on whether an Impact Assessment was required.

The decision review was conducted by a panel consisting of two members of the Commission's Board and Stephen Roberts, Head of Litigation and Legal Policy.

The review panel decided that an independent Impact Assessment should be obtained by the charity. The terms of reference were agreed between the charity and the review panel and assurances were given regarding the independence of the reviewers.

The charity submitted the completed impact assessment on 3 December 2014.

Conclusion

The review panel reviewed the Impact Assessment and noted that the impact of the proposed changes on the private veterinary sector, was not considered to be significant. It was also clear that the proposed changes to the objects would enable the charity to further its purposes more effectively.

In view of this, the panel agreed that the draft Scheme should be made and submitted to the Minister to be laid before parliament and, if appropriate, to be given effect to by order of the Minister. It was also agreed that the Scheme should be accompanied by the Impact Assessment. The drafting of the statutory instrument to give effect to the scheme is a matter for the Minister, as is the explanatory note.

The panel also recommended that the reference in the explanatory note to there being no impact to be foreseen on the private or wider voluntary sectors should be amended in the light of the independent Impact Assessment to state that the impact was not considered by independent assessors to be significant.

9 December 2014