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Slaughterhouses Act 1974

1974 CHAPTER 3

An Act to consolidate certain enactments relating to slaughterhouses and knackers' yards and the slaughter of animals. [8th February 1974]

Modifications etc. (not altering text)

C1 Act: certain functions transferred (1.7.1999) by virtue of S.I. 1999/672, art. 2, **Sch. 1**

Commencement Information

II Act wholly in force at 1.4.1974 see s. 48(3).

PART I

SLAUGHTERHOUSES AND KNACKERS' YARDS

Modifications etc. (not altering text)

C2 Pt. I: power to transfer functions conferred by Public Health (Control of Disease) Act 1984 (c. 22, SIF 100:1), s. 3(2)

Pt. I: certain functions transferred (7.8.1991) by S.I. 1991/1773, art. 8(1)(3), **Sch.2**

Pt. I: modified (7.8.1991) by S.I. 1991/1773, art. 8(2)(3), **Sch.2**

Pt. I: certain functions transferred (10.2.1992) by S.I. 1991/2913, art. 8(1)(3), **Sch.2**

Pt. I: modified (10.2.1992) by S.I. 1991/2913, art. 8(2)(3), **Sch.2**

C3 Pt. I certain functions transferred (31.12.2004) by The National Assembly for Wales (Transfer of Functions) Order 2004 (S.I. 2004/3044), art. 1(2), **Sch. 1** (with art. 3)

C4 Pt. I modified (E.) (6.4.2010) by Portsmouth Port Health Authority Order 2010 (S.I. 2010/1217), arts. 1(1), 4, **Schs.**

C5 Pt. I modified (E.) (6.4.2010) by Bristol Port Health Authority Order 2010 (S.I. 2010/1214), arts. 1, 4, **Schs.**

C6 Pt. I modified (E.) (6.4.2010) by Cowes Port Health Authority Order 2010 (S.I. 2010/1216), arts. 1(1), 4, **Schs.**

C7 Pt. I modified (E.) (6.4.2010) by The Cornwall Port Health Authority Order 2010 (S.I. 2010/1215), arts. 1(1), 4, **Schs.** (with art. 2)

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C8 Pt. I modified (E.) (6.4.2010) by [Southampton Port Health Authority Order 2010 \(S.I. 2010/1218\)](#), arts. 1(1), 4, [Schs.](#)

Licensing of private slaughterhouses and knackers’ yards

F1 **Slaughterhouses and knackers’ yards to be licensed.**

.....

Textual Amendments

F1 S. 1 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), regs. 1, [54\(1\)\(a\)](#); and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), regs. 1, [53\(1\)\(a\)](#)

F2

.....

Textual Amendments

F2 s. 2 repealed (11.09.1996) by [S. I. 1996/2235](#), art. 11, [Sch](#)

F3

.....

Textual Amendments

F3 S. 3 repealed (11.09.1996) by [S.I. 1996/2235](#), art. 11, [Sch.](#)

F4 **Knacker’s yard licences and applications for such licences.**

.....

Textual Amendments

F4 S. 4 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), regs. 1, [54\(1\)\(a\)](#); and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), regs. 1, [53\(1\)\(a\)](#)

F5 **Notification of refusal of licence.**

.....

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Textual Amendments

- F5** S. 5 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), **regs. 1, 54(1)(a)**; and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), **regs. 1, 53(1)(a)**

F6 **Appeals against refusal of licence.**

.....

Textual Amendments

- F6** S. 6 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), **regs. 1, 54(1)(a)**; and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), **regs. 1, 53(1)(a)**

F7 **Right to continue to use premises pending appeal.**

.....

Textual Amendments

- F7** S. 7 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), **regs. 1, 54(1)(a)**; and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), **regs. 1, 53(1)(a)**

F8 **Effect of court's decision.**

.....

Textual Amendments

- F8** S. 8 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), **regs. 1, 54(1)(a)**; and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), **regs. 1, 53(1)(a)**

F9 **Duration of licences.**

.....

Textual Amendments

- F9** S. 9 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), **regs. 1, 54(1)(a)**; and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), **regs. 1, 53(1)(a)**

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F10 10 Temporary continuance of licence on death.

.....

Textual Amendments

F10 S. 10 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), regs. 1, **54(1)(a)**; and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), regs. 1, **53(1)(a)**

Regulation of private slaughterhouses and knackers' yards

F11 11

Textual Amendments

F11 s. 11 repealed (11.9.1996) by [S.I. 1996/2235](#), art. 11, **Sch.**

F12 12 Byelaws about slaughterhouses and knackers' yards.

.....

Textual Amendments

F12 S. 12 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), regs. 1, **54(1)(a)**; and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), regs. 1, **53(1)(a)**

F13 13

Textual Amendments

F13 S. 13 repealed (11.9.1996) by [S. I. 1996/2235](#), arts. 4, 11, **Sch.**

Restriction of private slaughterhouses

14 Restriction of slaughterhouses only by agreement.

[^{F14}(1)] Nothing in, or in any instrument made under, any local Act shall make unlawful, or subject any person to any penalty by reason of, the use of any premises as a slaughterhouse or the slaughter of animals on any premises at a time when a slaughterhouse licence is in force in respect of the premises; but, with a view to reducing the number of slaughterhouses, a local authority may—

- (a) acquire by agreement any premises in their district which are used as a slaughterhouse and discontinue the use of the premises for that purpose;

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- (b) agree with the person interested in any premises in the district which are used as a slaughterhouse for the discontinuance of slaughtering on those premises.

[^{F15}(2) In this section, “slaughterhouse licence” means a licence issued under regulations made by virtue of section 19(1)(b) of the Food Safety Act 1990 for the use of any premises as a slaughterhouse]

Textual Amendments

F14 S. 14 renumbered as 14(1) (11.9.1996) by S. I. 1996/2235, art. 5(3)

F15 S. 14(2) inserted (11.9.1996) by S. I. 1996/2235, art. 5(3)

Provision and management of public slaughterhouses

15 Power to provide public slaughterhouses.

- (1) Subject to the provisions of this section, a local authority may provide public slaughterhouses.
- (2) Any proposal by a local authority to provide under this section a slaughterhouse within the district of another local authority shall require the consent of that authority; but such consent shall not be unreasonably withheld, and any question whether or not the consent of an authority for the purposes of this subsection is unreasonably withheld shall be referred to and determined by the Minister.
- (3) It is hereby declared that the power conferred on local authorities by subsection (1) above is exercisable in either of the following ways, that is to say—
 - (a) by acquiring (whether by purchase, lease or otherwise) or appropriating land and providing slaughterhouse facilities there, or
 - (b) by acquiring (whether by purchase, lease or otherwise) land on which such facilities have been provided by other persons and securing that such facilities continue to be provided there;and references in this Part of this Act to a local authority providing a slaughterhouse shall be construed accordingly.
- (4) In subsection (3) above “slaughterhouse facilities” means facilities for carrying on the activities of a slaughterhouse, including plant and apparatus and the services of persons as slaughtermen or otherwise.
- (5) Nothing in [^{F16}section 14] above shall apply in relation to a public slaughterhouse provided by a local authority.

Textual Amendments

F16 Words in s. 15(5) substituted (11.9.1996) by S. I. 1996/2235, art. 5(4)

16 Management of public slaughterhouses.

- (1) A local authority who have provided a public slaughterhouse—
 - ^{F17}(a)

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- (b) may provide plant or apparatus for disposing of, treating or processing waste matters, refuse or by-products, resulting from the slaughter of animals in the slaughterhouse;
- (c) may, if they think fit, employ persons to slaughter or stun, in accordance with [^{F18}the Welfare of Animals (Slaughter or Killing) Regulations 1995, horses (including hinnies, asses and mules), cattle, sheep, swine or goats];
- (d) subject to subsection (2) below, may make such arrangements as they think expedient for securing that all the activities of the slaughterhouse, or any particular activities, are carried on there by servants or agents of theirs to the exclusion of other persons.

(2) A local authority shall not exercise the power conferred by subsection (1)(d) above in such a manner as to deny any religious community reasonable facilities for obtaining as food the flesh of animals slaughtered by the method specially required by their religion.

^{F17}(3)

^{F17}(4)

Textual Amendments

F17 S. 16(1)(a)(3)(4) repealed (11.9.1996) by S. I. 1996/2235, arts. 3(2), 11, **Sch.**

F18 Words in s. 16(1)(c) substituted (1.4.1995) by S. I. 1995/731, reg. 28(2), **Sch. 14**, para. 2(3)

Modifications etc. (not altering text)

C9 S. 16(1)(a) excluded by **Local Government, Planning and Land Act 1980** (c. 65, SIF 81:1, 2), s. 1(1), **Sch. 1**

17 Charges in respect of public slaughterhouses.

- (1) A local authority who have provided a public slaughterhouse may make charges, according to scales determined by them from time to time, in respect of the use of the slaughterhouse or of any services provided there.
- (2) Every scale of charges determined by a local authority for the purposes of this section shall be published by them in at least one newspaper circulating in their district and in such other manner (if any) as they think expedient for informing persons interested.

18 Power to provide cold stores and refrigerators for public slaughterhouses.

- (1) Subject to the provisions of this section, a local authority who have provided, or are about to provide, a public slaughterhouse, may, . . . ^{F19}, provide a cold store or refrigerator for the storage and preservation of meat and other articles of food and may make charges in respect of the use of any such store or refrigerator.
- (2) Any proposal by a local authority to provide under this section a cold store or refrigerator within the district of another local authority shall require the consent of that authority; but that consent shall not be unreasonably withheld and any question whether or not the consent of an authority for the purposes of this subsection is unreasonably withheld shall be referred to and determined by the Minister.

(3) ^{F20}

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Textual Amendments

- F19** Words repealed by [Local Government Act 1974 \(c. 7\)](#), **Sch. 8**
- F20** [S. 18\(3\)–\(5\)](#) repealed by [Local Government Act 1974 \(c. 7\)](#), **Sch. 8**

Enforcement and legal proceedings

F21 19 Execution and enforcement of Part I.

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Textual Amendments

- F21** [Ss. 19–26](#) repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), regs. 1, **54(1)(a)**; and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), regs. 1, **53(1)(a)**

F21 20 Powers of entry.

.....

Textual Amendments

- F21** [Ss. 19–26](#) repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), regs. 1, **54(1)(a)**; and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), regs. 1, **53(1)(a)**

F21 21 Obstruction.

.....

Textual Amendments

- F21** [Ss. 19–26](#) repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), regs. 1, **54(1)(a)**; and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), regs. 1, **53(1)(a)**

F21 22 Institution of proceedings by local authorities.

.....

Textual Amendments

- F21** [Ss. 19–26](#) repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), regs. 1, **54(1)(a)**; and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), regs. 1, **53(1)(a)**

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F21 23 Prosecution and punishment of offences.

.....

Textual Amendments
F21 Ss. 19-26 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), regs. 1, [54\(1\)\(a\)](#); and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), regs. 1, [53\(1\)\(a\)](#)

F21 24 Offences by corporations.

.....

Textual Amendments
F21 Ss. 19-26 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), regs. 1, [54\(1\)\(a\)](#); and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), regs. 1, [53\(1\)\(a\)](#)

F21 25 Contravention due to default of some other person.

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Textual Amendments
F21 Ss. 19-26 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), regs. 1, [54\(1\)\(a\)](#); and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), regs. 1, [53\(1\)\(a\)](#)

F21 26 Appeals to Crown Court.

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Textual Amendments
F21 Ss. 19-26 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), regs. 1, [54\(1\)\(a\)](#); and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), regs. 1, [53\(1\)\(a\)](#)

Miscellaneous and supplemental

27 Local authorities for purposes of Part I.

In this Part of this Act “local authority” means—

- (a) as respects the City of London, the Common Council;
- (b) as respects any London borough, the council of the borough; ^{F22} . . .
- (c) as respects any district [^{F23}in England], the council of the district [^{F24}and

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- (d) as respects any county or county borough in Wales, the council of the county or county borough.]

Textual Amendments

- F22** Word in s. 27(b) repealed (1.4.1996) by 1994 c. 19, s. 66(6)(8), Sch. 16, para. 43(1), Sch. 18, (with ss. 54(5)(7), 55(5)); S.I. 1996/396, art. 4, Sch. 2
- F23** Word inserted in s. 27(c) (1.4.1996) by 1994 c. 19, s. 66(6), Sch. 16, para. 43(1)(with ss. 54(5)(7), 55(5)); S.I. 1996/396, art. 4, Sch. 2
- F24** S. 27(d) and the word preceding it added (1.4.1996) by 1994 c. 19, s. 66(6), Sch. 16, para. 43(1)(with ss. 54(5)(7), 55(5)); S.I. 1996/396, art. 4, Sch. 2

28 Port health authorities and joint boards.

Orders made by the Secretary of State—

- (a) . . . ^{F25}
- (b) under section 6 of that Act may constitute for the purposes of any such functions a united district and a joint board for that district;
- and any such order may be amended by the Secretary of State under section 9 of that Act.

Textual Amendments

- F25** S. 28 para. (a) repealed by Public Health (Control of Disease) Act 1984 (c. 22, SIF 100:1), s. 78, Sch. 3

^{F26}29 Protection for local government officers acting in good faith.

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Textual Amendments

- F26** S. 29 repealed (E.) (28.9.2005) by Animal By-Products Regulations 2005 (S.I. 2005/2347), regs. 1, 54(1)(a); and also repealed (W.) (12.5.2006) by Animal By-Products (Wales) Regulations 2006 (S.I. 2006/1293), regs. 1, 53(1)(a)

30 Power of compulsory purchase of land.

- (1) A local authority may be authorised by the Minister to purchase land compulsorily for the purposes of this Part of this Act other than those of section 14 above; and for the purposes of this section “land” has the same meaning as in the ^{M1}Public Health Act 1936.
- (2) In relation to the compulsory purchase of land under this section, the [^{F27}Acquisition of Land Act 1981] shall apply . . . ^{F28}.

Textual Amendments

- F27** Words substituted by Acquisition of Land Act 1981 (c. 67, SIF 28:1), s. 34, Sch. 4 para. 1 Table

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F28 Words repealed by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34, **Sch. 6 Pt. I**

Marginal Citations

M1 [1936 c. 49](#).

31 Local inquiries.

- (1) Where any Minister is authorised by this Part of this Act to determine any difference, to give any confirmation, to make any order, or otherwise to act under this Part of this Act, he may cause a local inquiry to be held.
- (2) Subsections (2) to (5) of section 250 of the ^{M2}Local Government Act 1972 shall apply in relation to a local inquiry held under subsection (1) above in any case where a Minister is authorised to determine any difference as they apply in relation to a local inquiry which a Minister causes to be held under subsection (1) of that section.

Marginal Citations

M2 [1972 c. 70](#).

32 Incorporation of certain provisions of Public Health Act 1936.

- (1) The supplementary provisions of the ^{M3}Public Health Act 1936 mentioned in subsection (2) below shall be deemed to be incorporated, so far as applicable, in this Part of this Act; and in those provisions as so incorporated—
 - (a) any reference to that Act shall be construed as a reference to this Part of this Act; and
 - (b) any reference to the Minister within the meaning of that Act shall be construed as a reference to the Minister within the meaning of this Part of this Act.
- (2) The provisions of the ^{M4}Public Health Act 1936 referred to in subsection (1) above are—

F29

.....

section 283 (notices to be in writing; forms of notices etc.);

section 284 (authentication of documents);

section 285 (service of notices);

F29

.....

section 304 (judges and justices not to be disqualified by liability to rates);

section 317 (power to repeal and alter local Acts by provisional orders);

[^{F30}sections 322, 324, 325] (default powers in relation to functions of councils);

and

section 328 (powers of Act to be cumulative).

Textual Amendments

F29 Entries repealed by [Local Government \(Miscellaneous Provisions\) Act 1976 \(c. 57\)](#), **Sch. 2**

F30 Words substituted by virtue of [Local Government \(Miscellaneous Provisions\) Act 1976 \(c. 57\)](#), **Sch. 2**

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Marginal Citations

- M3 1936 c. 49.
- M4 1936 c. 49.

^{F31}33 Application to Crown.

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Textual Amendments

- F31 S. 33 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), regs. 1, [54\(1\)\(a\)](#); and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), regs. 1, [53\(1\)\(a\)](#)

34 Interpretation of Part I.

In this Part of this Act, unless the context otherwise requires,—

“animal” does not include bird or fish;

^{F32}
...

“council” includes a port health authority;

“district”, in relation to the local authority of a London borough or the City of London, and in relation to the officers of such an authority, means the borough or the City, as the case may be; [^{F33}and, in relation to—

(a) a local authority who are the council of a Welsh county or county borough,
and

(b) the officers of such an authority,

means that county or county borough;]

“functions” includes powers and duties;

^{F32}
...

^{F32}
...

^{F32}
...

“local authority” has the meaning assigned to it by section 27 above and, in relation to any premises or to an application in respect of any premises, means the local authority within whose district the premises are situated;

“the Minister” means the Minister of Agriculture, Fisheries and Food;

“officer” includes servant;

^{F34}
...

“slaughterhouse” means a place for slaughtering animals whose flesh is intended for sale for human consumption, and includes any place available in connection therewith for the confinement of animals while awaiting slaughter there or for keeping, or subjecting to any treatment or process, products of the slaughtering of animals there.

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Textual Amendments

- F32** Words in s. 34 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), regs. 1, **54(1)(a)**; and also repealed (W.) (12.5.2006) by [Animal By-Products \(Wales\) Regulations 2006 \(S.I. 2006/1293\)](#), regs. 1, **53(1)(a)**
- F33** In s. 34 in the definition of “district” words and sub-paragraphs (a)(b) added (1.4.1996) by [1994 c. 19](#), s. 66(6), **Sch. 16**, para. 43(2), (with ss. 54(5)(7), 55(5)); [S.I. 1996/396](#), art. 4, **Sch. 2**
- F34** Definition of “district” in s. 34 repealed (11.9.1996) by [S.I. 1996/2235](#), art. 11, **Sch.**

Modifications etc. (not altering text)

- C10** Functions of the Minister of Agriculture, Fisheries and Food under Part I of this Act now exercisable by Minister and Secretary of State jointly: [S.I. 1978/272](#), art. 4(1), **Sch. 2**
- C11** S. 34: definition of slaughterhouse applied (25.9.1991) by [Agriculture and Forestry \(Financial Provisions\) Act 1991 \(c. 33, SIF 2:2\)](#), **ss. 2(11)**, 5(2).

35 Saving for port slaughterhouses and knackers’ yards.

Nothing in this Part of this Act shall apply to any ^{F35} . . . knacker’s yard forming part of an imported animals’ wharf or landing place approved by the Minister under the [^{F36} Animal Health Act 1981] for the purpose of the landing of imported animals.

Textual Amendments

- F35** Words in s. 35 repealed (11.9.1996) by [S.I. 1996/2235](#), art. 11, **Sch.**
- F36** Words substituted by [Animal Health Act 1981 \(c. 22, SIF 4:4\)](#), s. 96, **Sch. 5 para. 11(b)**

PART II

SLAUGHTER OF ANIMALS

Modifications etc. (not altering text)

- C12** Certain functions of the Minister of Agriculture, Fisheries and Food under Part II of this Act now exercisable (W.) by Secretary of State or Minister and Secretary of State jointly: [S.I. 1978/272](#), art. 2, **Sch. 1**

Provisions as to slaughter

^{F37}**36**

Textual Amendments

- F37** s. 36 repealed (1.4.1995) by [S. I. 1995/731](#), reg. 28(1), **Sch. 13**

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Modifications etc. (not altering text)

C13 s. 36 power to transfer functions conferred (3.1.1995) by 1994 c. 40, ss. 31, 82(2), **Sch. 9**, para. 2(1)(a), 4

^{F38}37

Textual Amendments

F38 S. 37 repealed (1.4.1995) by S. I. 1995/731, reg. 28(1), **Sch. 13**

38 Regulations for securing humane conditions of slaughter in slaughterhouses and knackers' yards.

- (1) The Minister may, after consultation with such organisations as appear to him to represent the interests concerned, make such regulations as appear to him to be expedient for securing humane conditions and practices in connection with the slaughter, in slaughterhouses and knackers' yards, of [^{F39}horses, cattle, sheep, swine or goats]; and such regulations may in particular—
 - (a) prescribe requirements as to the construction, lay-out and equipment of premises used as slaughterhouses or knackers' yards;
 - (b) prescribe conditions to be observed in connection with the confinement and treatment of [^{F39}horses, cattle, sheep, swine or goats] while awaiting slaughter in such premises, and in connection with the slaughter there of such animals.
- (2) Regulations under this section may make different provision in relation to different kinds of animals and in relation to premises used for different purposes in connection with the slaughter of animals and may—
 - (a) so far as they are made for the purposes mentioned in subsection (1)(a) above, be made to apply subject to exceptions or modifications in relation to premises constructed or adapted for use before the date on which the regulations come into force;
 - (b) in any case be made without applying, or applying subject to exceptions or modifications, in relation to slaughterhouses forming part of an imported animals' wharf or approved landing place for the purposes of the [^{F40}Animal Health Act 1981], or applying (with or without exceptions or modifications) only in relation to any such slaughterhouse of that description as may be specified in the regulations;
 - (c) provide, subject to such limitations and safeguards, if any, as may be specified in the regulations, for the appropriate authority to grant in relation to particular premises, either unconditionally or subject to conditions, exemption from the operation of specific provisions of those regulations where it appears to the authority that compliance with those provisions cannot for the time being reasonably be required with respect to the premises or any activities carried on there;
 - (d) provide for the regulations to come into force on different days fixed by, or by an order to be made by statutory instrument under, the regulations in respect of different classes or descriptions of premises and different areas, and for different provisions to come into force on different days;

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and in paragraph (c) above “appropriate authority”, except in relation to a slaughterhouse provided by a local authority, means a local authority, and in relation to a slaughterhouse so provided means the Minister.

- (3) Regulations under this section may make provision corresponding (with or without modifications) with any of the provisions in force immediately before the commencement of the ^{M5}Slaughter of Animals (Amendment) Act 1954, under section 5(1) of the ^{M6}Protection of Animals Act 1911, section 4 of the ^{M7}Slaughter of Animals Act 1933 or section 1 of the ^{M8}Slaughter of Animals (Amendment) Act 1951.

^{F41}(4)

- (5) Regulations under this section may prescribe penalties for offences against the regulations, not exceeding a fine of [^{F42}level 3 on the standard scale] or imprisonment for a term of three months or both, and may impose on the occupiers of premises to which the regulations apply responsibility for compliance with any of the provisions of the regulations.

[^{F43}(5A) Regulations under this section may require occupiers of premises used as slaughterhouses or knackers’ yards to secure that the provisions of regulations under this section are complied with on the premises.]

- (6) Where a person convicted of any offence against regulations under this section (including a person so convicted by virtue of [^{F44}section 44 of the Magistrates’ Courts Act 1980]) is the holder of a licence under section 1 above in respect of the premises where the offence was committed, the court may, in addition to any other punishment, cancel the licence.

Subordinate Legislation Made

P1 [S. 38](#): power exercised by [S.I. 1983/688](#), 689, 1984/1310, 1311, 1990/1242

Textual Amendments

F39 Words in [s. 38\(1\)](#) substituted (1.4.1995) by [S.I. 1995/731](#), reg. 28(2), [Sch. 14](#), para. 2(4)

F40 Words substituted by [Animal Health Act 1981](#) (c. 22, SIF 4:4), s. 96, [Sch. 5 para. 11\(c\)](#)

F41 [S. 38\(4\)](#) repealed (1.4.1995) by [S. I. 1995/731](#), reg. 28(1), [Sch. 13](#)

F42 Words substituted by virtue of [Criminal Justice Act 1982](#) (c. 48, SIF 39:1), [ss. 38](#), 46

F43 [S. 38\(5A\)](#) inserted (27.8.1991) by [Welfare of Animals at Slaughter Act 1991](#) (c. 30, SIF 112), [ss. 1](#), 7(2).

F44 Words substituted by [Magistrates' Courts Act 1980](#) (c. 43, SIF 82), s. 154, [Sch. 7 para. 125](#)

Modifications etc. (not altering text)

C14 [S. 38](#) power to transfer functions conferred (3.1.1995) by [1994 c. 40](#), [ss. 31](#), 82(2), [Sch. 9](#), para. 2(1)(b), 4

Marginal Citations

M5 [1954 c. 59](#).

M6 [1911 c. 27](#).

M7 [1933 c. 39](#).

M8 [1951 c. 49](#).

Status: Point in time view as at 06/04/2010.

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Licensing of slaughtermen

F4539

Textual Amendments

F45 S. 39 repealed (1.4.1995) by S. I. 1995/731, reg. 28(1), **Sch. 13**

F4640

Textual Amendments

F46 S. 40 repealed (1.4.1995) by S.I. 1995/731, reg. 28(1), **Sch. 13**

Enforcement and legal proceedings

F4741(1)**Execution and enforcement Part II.**

It shall be the duty of every local authority to execute and enforce in their district the provisions of this Part of this Act and of any regulations made under it.

[^{F48}(2) In particular, every local authority shall, for the purpose of securing the execution of those provisions, make arrangements for the supervision by persons having such qualifications as may be prescribed by regulations under section 38 above of any premises in their district to which regulations under that section apply.

(3) Arrangements under subsection (2) above shall comply with such directions as the Minister may give from time to time.]

Textual Amendments

F47 S. 41 renumbered as s. 41(1) (27.8.1991) by Welfare of Animals at **Slaughter Act 1991 (c. 30, SIF 112), ss. 4(1), 7(2).**

F48 S. 41(2)(3) added (27.8.1991) by Welfare of Animals at **Slaughter Act 1991 (c. 30, SIF 112), ss. 4(2), 7(2).**

Modifications etc. (not altering text)

C15 S. 41 power to transfer functions conferred (3.1.1995) by 1994 c. 40, ss. 31, 82(2), **Sch. 9, paras. 2(1) (e), 4**

[41A ^{F49}**Codes of practice.**

(1) The Minister may from time to time, after consultation with such organisations as appear to him to represent the interests concerned—

(a) prepare and issue codes of practice for the purpose of providing practical guidance in respect of any provision of this Part of this Act or regulations under it; and

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- (b) revise any such code by revoking, varying, amending or adding to the provisions of the code.
- (2) A code prepared in pursuance of this section and any alterations proposed to be made on a revision of such a code shall be laid before both Houses of Parliament, and the Minister shall not issue the code or revised code, as the case may be, until after the end of the period of 40 days beginning with the day on which the code or the proposed alterations were so laid.
- (3) If, within the period mentioned in subsection (2) above, either House resolves that the code be not issued or the proposed alterations be not made, the Minister shall not issue the code or revised code (without prejudice to his power under that subsection to lay further codes or proposed alterations before Parliament).
- (4) For the purposes of subsection (2) above—
- (a) where a code or proposed alterations are laid before each House of Parliament on different days, the later day shall be taken to be the day on which the code or the proposed alterations, as the case may be, were laid before both Houses; and
- (b) in reckoning any period of 40 days, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.
- (5) The Minister shall cause any code issued or revised under this section to be printed and distributed, and may make such arrangements as he thinks fit for its distribution, including causing copies of it to be put on sale to the public at such reasonable price as the Minister may determine.
- (6) A failure on the part of any person to follow any guidance contained in a code issued under this section shall not of itself render that person liable to proceedings of any kind.
- (7) If, in proceedings against any person for an offence consisting of the contravention of any provision of this Part of this Act or of regulations under it, it is shown that, at any material time, he failed to follow any guidance contained in a code issued under this section, being guidance which was relevant to the provision concerned, that failure may be relied on by the prosecution as tending to establish his guilt.]

Textual Amendments

F49 S. 41A inserted (27.8.1991) by Welfare of Animals at [Slaughter Act 1991 \(c. 30, SIF 112\)](#), **ss. 5(1), 7(2)**.

42 Powers of entry.

- (1) Subject to subsection (3) below, at any time when business is, or appears to be, in progress, or is usually carried on, in a slaughterhouse or knacker's yard, any officer of the Minister, or an officer appointed for the purpose by the local authority within whose district the slaughterhouse or knacker's yard is situate, may enter it for the purpose of ascertaining whether there is or has been any contravention of this Part of this Act or of any regulations made under it.

Status: Point in time view as at 06/04/2010.

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- (2) Any person who obstructs a person in the exercise of his powers under subsection (1) above shall be guilty of an offence and liable to a fine not exceeding [^{F50}level 1 on the standard scale].
- (3) Subsection (1) above shall not authorise entry into a slaughterhouse or knacker’s yard which for the time being is, or is comprised in, an infected place within the meaning of the [^{F51}Animal Health Act 1981].

Textual Amendments

F50 Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), ss. **38, 46**

F51 Words substituted by [Animal Health Act 1981 \(c. 22, SIF 4:4\)](#), s. 96, **Sch. 5 para. 11(e)**

Modifications etc. (not altering text)

C16 [S. 42\(1\)](#) power to transfer functions conferred (3.1.1995) by [1994 c. 40, ss. 31, 82\(2\)](#), **Sch. 9**, paras. 2(1)(f), 4

43 Prosecution and punishment of offences.

- (1) All offences under this Part of this Act and regulations made under it shall be punishable on summary conviction.

^{F52}(2)

^{F52}(3)

Textual Amendments

F52 [S. 43\(2\)\(3\)](#) repealed (1.4.1995) by [S. I. 1995/731, reg. 28\(1\)](#), **Sch. 13**

Supplemental

44 Regulations.

Any regulations under this Part of this Act shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

45 Interpretation of Part II.

In this Part of this Act, unless the context otherwise requires—

“contravention” in relation to a provision of this Part of this Act or of any regulations made under it, includes a failure to comply with that provision;

[^{F53}“district”, in relation to a local authority who are the council of a Welsh county or county borough, means that county or county borough;]

“horse” includes ass and mule;

“knacker’s yard” means any building, premises or place used in connection with the business of killing animals whose flesh is not intended for sale for human consumption;

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“local authority” means the council [^{F54} of a Welsh county or county borough or]of a district or London borough or the Common Council of the City of London;

“the Minister” means the Minister of Agriculture, Fisheries and Food;

“slaughterhouse” means any building, premises or place used in connection with the business of killing animals whose flesh is intended for sale for human consumption.

Textual Amendments

F53 Definition of “district” inserted (1.4.1996) by 1994 c. 19, s. 66(6), **Sch. 16**, para. 43(3)(a), (with ss. 54(5)(7), 55(5)); S.I. 1996/396, art. 4, **Sch. 2**

F54 In s. 45 words inserted (1.4.1996) by 1994 c. 19, s. 66(6), **Sch. 16**, para. 43(3)(b), (with ss. 54(5)(7), 55(5)); S.I. 1996/396, art. 4, **Sch. 2**

PART III

MISCELLANEOUS AND GENERAL

46 Consequential and other amendments.

(1) The enactments specified in Schedule 3 to this Act shall have effect subject to the amendments there specified, being amendments consequential upon the provisions of this Act.

(2) ^{F55}

Textual Amendments

F55 S. 46(2) repealed by **Food Act 1984** (c. 30, SIF 53:1), s. 134, **Sch. 11**

Modifications etc. (not altering text)

C17 The text of s. 46 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

47 Transitional provisions, savings and repeals.

(1) The transitional provisions and savings contained in Schedule 5 to this Act shall have effect.

(2) Subject to the provisions of Schedule 5, the enactments specified in Schedule 6 to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(3) Nothing in this Act shall be taken as prejudicing the operation of [^{F56} sections 16(1) and 17(2)(a) of the ^{M9} Interpretation Act 1978] (which [^{F56} relate] to the effect of repeals).

Textual Amendments

F56 Words substituted by virtue of **Interpretation Act 1978** (c. 30), s. 25(2)

Status: Point in time view as at 06/04/2010.

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Marginal Citations

M9 1978 c. 30.

48 Short title, construction, commencement and extent.

- (1) This Act may be cited as the Slaughterhouses Act 1974.
- (2) References in this Act to any enactment shall, except in so far as the context otherwise requires, be construed as references to that enactment as amended by or under any other enactment including this Act.
- (3) This Act shall come into operation on 1st April 1974.
- (4) This Act does not extend to Scotland or to Northern Ireland.

Status: Point in time view as at 06/04/2010.

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SCHEDULES

F57F57 SCHEDULE 1

.....
Textual Amendments

F57 Sch. 1 repealed (1.4.1995) by S. I. 1995/731, reg. 28(1), Sch. 13

F58F58 SCHEDULE 2

.....
Textual Amendments

F58 Sch. 2 repealed (1.4.1995) by S. I. 1995/731, reg. 28(1), Sch. 13

SCHEDULE 3

Section 46.

CONSEQUENTIAL AMENDMENTS

.....
Modifications etc. (not altering text)

C18 The text of Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

1 F59

.....
Textual Amendments

F59 Sch. 3 para. 1 repealed by Food Act 1984 (c. 30, SIF 53:1), s. 134, Sch. 11

F60₂

.....
Textual Amendments

F60 Sch. 3 para. 2 repealed (5.11.1993) by 1993 c. 50, S. 1(1), Sch. 1 Pt.II.

Status: Point in time view as at 06/04/2010.

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3 F61

Textual Amendments

F61 Sch. 3 para. 3 repealed by Local Government Act 1974 (c. 7), Sch. 8

4 In section 1(2) of the ^{M10}Slaughter of Poultry Act 1967, for the words “the Slaughter of Animals Act 1958” there shall be substituted the words “the Slaughterhouses Act 1974”, and in section 1(4) of that Act for the word “1958” there shall be substituted the word “1974”.

Marginal Citations

M10 1967 c. 24.

5 In section 10(1) of the Firearms Act 1968, for the words “section 3 of the Slaughter of Animals Act 1958” there shall be substituted the words “section 39 of the Slaughterhouses Act 1974”.

6 F62

Textual Amendments

F62 Sch. 3 para. 6 repealed by Local Government Act 1974 (c. 7), Sch. 8

^{F63}F63 SCHEDULE 4

Textual Amendments

F63 Sch. 4 repealed by Food Act 1984 (c. 30, SIF 53:1), s. 134, Sch. 11

..... F63

SCHEDULE 5

TRANSITIONAL PROVISIONS AND SAVINGS

1 (1) In so far as anything done or having effect as if done under or in pursuance of any of the enactments repealed by this Act (in this Schedule referred to as “the repealed enactments”) could have been done under or in pursuance of a corresponding provision of this Act, it shall not be invalidated by the repeal but shall have effect as if done under or in pursuance of that provision; and anything begun under any of the repealed enactments may be continued under the corresponding provision of this Act as if begun under that provision.

(2) Sub-paragraph (1) above applies in particular to any order, regulation, byelaw, application, determination, decision or agreement made, licence or authorisation

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granted or renewed, notice, consent or approval given, requirement imposed, warrant issued or inquiry held.

- 2 Without prejudice to any express amendment made by this Act, where any enactment or document refers, either expressly or by implication, to any of the repealed enactments, the reference shall, except where the context otherwise requires, be construed as, or as including, a reference to the corresponding provision of this Act.
- 3 Where any period of time specified in any of the repealed enactments is current at the commencement of this Act, this Act shall have effect as if the corresponding provision of this Act had been in force when that period began to run.
- 4 (1) Nothing in this Act shall affect the repealed enactments in their operation in relation to offences committed before the commencement of this Act.
- (2) Where an offence, for the continuance of which a penalty was provided, has been committed under any of the repealed enactments, proceedings may be taken under this Act in respect of the continuance of the offence after the commencement of this Act, in the same manner as if the offence had been committed under the corresponding provision of this Act.
- 5 Without prejudice to paragraph 1 above, any reference in this Act (whether express or implied) to a thing done or required or authorised to be done, or omitted to be done, or to an event which has occurred, under or for the purposes of or by reference to or in contravention of any of the provisions of this Act shall, except where the context otherwise requires, be construed as including a reference to the corresponding thing done or required or authorised to be done, or omitted, or to the corresponding event which occurred as the case may be, under or for the purposes of or by reference to or in contravention of the corresponding provisions of the repealed enactments and of the enactments repealed by those enactments.
- 6 Nothing in this Act shall affect the operation of section 84 of the ^{M11}London Government Act 1963 (supplemental and transitional provision) or section 254 of the ^{M12}Local Government Act 1972 (consequential and supplementary provision) or any order made under either of those sections; and the definitions of “local authority” in sections 27 and 45 above shall have effect—
- (a) in relation to any time before 1st April 1965, as if they included a reference to the council of a metropolitan borough; and
- (b) in relation to any time before 1st April 1974, as if they included references to the council of a county or non-county borough and to the council of an urban or rural district.

Marginal Citations

M11 1963 c. 33.

M12 1972 c. 70.

- 7 Nothing in this Act shall affect the operation of section 79 of the Food and Drugs Act 1955 (special provisions as to the compensation payable under a local Act where the use of a slaughterhouse is rendered unlawful by the provision of a public slaughterhouse) in relation to any slaughterhouse the use of which was rendered unlawful before 1st January 1974 (the date on which section 5(3) of the Agriculture (Miscellaneous Provisions) Act 1972 came into force).

Status: Point in time view as at 06/04/2010.

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SCHEDULE 6

Section 47.

REPEALS

Modifications etc. (not altering text)

C19 The text of Sch. 6 is in the form in which it was originally enacted; it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Chapter	Short Title	Extent of Repeal
4 & 5 Eliz. 2. c. 16.	The Food and Drugs Act 1955.	Part IV except section 80. In section 80, in subsection (1), the words "a publicslaughterhouse or" In section 120(1), the words from "The reference in this subsection" to the end. Section 125(1)(c). In section 130(1), the words "or of paragraph (a) of section seventy-four thereof". In section 135(1), in the definition of "premises" the words "except in Part IV of this Act" and the definitions of "slaughterhouse facilities" and "slaughterhouse licence".
6 & 7 Eliz. 2. c. 70.	The Slaughterhouses Act 1958.	The whole Act.
7 & 8 Eliz. 2. c. 8.	The Slaughter of Animals Act 1958.	The whole Act.
1963 c. 33.	The London Government Act 1963.	In section 54(1), paragraph (c), the words "and the local authority for the purposes of each of the said Acts of 1958" and the words "slaughterhouses, knackers' yards, and". In Schedule 13, Part III.
1967 c. 80.	The Criminal Justice Act 1967.	In Part I of Schedule 3, the entries relating to section 69(2) of the Food and Drugs Act 1955 and section 8(2) of the Slaughter of Animals Act 1958.
1972 c. 62.	The Agriculture (Miscellaneous Provisions) Act 1972.	Section 5. In section 27, in subsection (2), the words "paragraphs (6), (c), (d) and (e) of subsection (1) and subsections (2) and (3) of section 5" and the words "to sections 65, 70(1) and 75 to 78 of the Food and Drugs Act 1955, to the Slaughterhouses Act 1958"; and in subsection (4), the word "5" where it first occurs.

Status:

Point in time view as at 06/04/2010.

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