



# Animal Health Act 1981

## 1981 CHAPTER 22

### PART II

#### DISEASE

##### *Slaughter*

#### **34 Slaughter and compensation generally.**

- (1) The Minister may, notwithstanding anything in this Act, reserve for observation and treatment an animal<sup>F1</sup>, bird or amphibian ] liable to be slaughtered under this Act at his direction but subject to payment of compensation by him as in case of actual slaughter.
- (2) Where an animal<sup>F1</sup>, bird or amphibian ] has been slaughtered under this Act at the Minister's direction, the carcase of the animal<sup>F1</sup>, bird or amphibian ] shall belong to the Minister and shall be buried, or sold, or otherwise disposed of by him, or as he directs, as the condition of the animal<sup>F1</sup>, bird or amphibian ] or carcase and other circumstances may require or admit.
- (3) If, in any case, the sum received by the Minister on sale of a carcase under this section exceeds the amount paid for compensation to the owner of the animal<sup>F1</sup>, bird or amphibian ] slaughtered, he shall pay that excess to the owner, after deducting reasonable expenses.
- (4) Where an animal<sup>F1</sup>, bird or amphibian ] has been slaughtered under this Act at the Minister's direction, he may use for the burial of the carcase any ground in the possession or occupation of the owner of the animal<sup>F1</sup>, bird or amphibian ] and suitable in that behalf, or any common or unenclosed land.
- (5) If the owner of an animal<sup>F1</sup>, bird or amphibian ] slaughtered under this Act at the Minister's direction has an insurance on the animal<sup>F1</sup>, bird or amphibian ], the amount of the compensation awarded to him under this Act may be deducted by the insurers from the amount of the money payable under the insurance before they make any payment in respect of it.

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*Changes to legislation: There are currently no known outstanding effects for the Animal Health Act 1981, Section 34. (See end of Document for details)*

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- (6) Notwithstanding anything in this Act, the Minister may, if he thinks fit, withhold, either wholly or partially, compensation or other payment in respect of an animal<sup>[F1]</sup>, bird or amphibian ] slaughtered under this Act at his discretion, where the animal<sup>[F1]</sup>, bird or amphibian ], being an imported animal<sup>[F1]</sup>, bird or amphibian ], was in his judgment diseased at the time of its landing or, before or while being brought from a member State, exposed to the infection of disease.
- (7) The Ministers may make such orders as they think fit for all or any of the following purposes—
- (a) for prescribing the mode of ascertainment of the value of an animal<sup>[F1]</sup>, bird or amphibian ] slaughtered, or liable to be slaughtered, at their direction;
  - (b) for regulating applications for, and the mode of payment of, compensation;
  - (c) for prescribing and regulating the destruction, burial, disposal or treatment of carcasses of animals<sup>[F2]</sup>, birds or amphibians ] slaughtered at their direction,
- and they may by order provide that subsection (6) above shall cease to have effect.

[<sup>F3</sup>(8) In this section—

“animal” means any kind of mammal (except man);

“disease” is not restricted by its definition in this Act.]

#### **Textual Amendments**

- F1** Words in s. 34 inserted (S.) (6.10.2006) by [Animal Health and Welfare \(Scotland\) Act 2006 \(asp 11\)](#), s. 55(1), [Sch. 2 para. 2\(4\)\(a\)](#) (with s. 54); S.S.I. 2006/482, art. 2
- F2** Words in s. 34(7)(c) inserted (S.) (6.10.2006) by [Animal Health and Welfare \(Scotland\) Act 2006 \(asp 11\)](#), s. 55(1), [Sch. 2 para. 2\(4\)\(b\)](#) (with s. 54); S.S.I. 2006/482, art. 2
- F3** S. 34(8) added (S.) (6.10.2006) by [Animal Health and Welfare \(Scotland\) Act 2006 \(asp 11\)](#), s. 55(1), [Sch. 2 para. 2\(4\)\(c\)](#) (with s. 54); S.S.I. 2006/482, art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Animal Health Act 1981, Section 34.