



# Slaughterhouses Act 1974

## 1974 CHAPTER 3

### PART I

#### SLAUGHTERHOUSES AND KNACKERS' YARDS

##### *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; and
- (c) as respects any district, the council of the district.

#### **28 Port health authorities and joint boards**

Orders made by the Secretary of State—

- (a) under section 3 of the Public Health Act 1936 may assign to a port health authority any of the functions, rights and liabilities of a local authority under this Part of this Act;
- (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.

#### **29 Protection for local government officers acting in good faith**

- (1) An officer of a council shall not be personally liable in respect of any act done by him in the execution or purported execution of this Part of this Act and within the scope of his employment, if he did that act in the honest belief that his duty under this Part required or entitled him to do it; but nothing in this subsection shall be construed as relieving a council from any liability in respect of acts of their officers.

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- (2) Where an action has been brought against an officer of a council in respect of an act done by him in the execution or purported execution of this Part of this Act and the circumstances are such that he is not legally entitled to require the council to indemnify him, the council may, nevertheless, indemnify him against the whole or a part of any damages and costs which he may have been ordered to pay or may have incurred, if they are satisfied that he honestly believed that the act complained of was within the scope of his employment and that his duty under this Part of this Act required or entitled him to do it

### **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 Public Health Act 1936.
- (2) In relation to the compulsory purchase of land under this section, the Acquisition of Land (Authorisation Procedure) Act 1946 shall apply as if this Act had been in force immediately before the commencement of that Act.

### **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 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.

### **32 Incorporation of certain provisions of Public Health Act 1936**

- (1) The supplementary provisions of the 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 Public Health Act 1936 referred to in subsection (1) above are—
- section 271 (interpretation of " provide ");
  - section 277 (power of councils to require information as to ownership of premises);
  - section 283 (notices to be in writing; forms of notices etc.);
  - section 284 (authentication of documents);
  - section 285 (service of notices);
  - section 286 (proof of resolutions, etc.);
  - 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);
  - sections 322 to 325 (default powers in relation to functions of councils); and

section 328 (powers of Act to be cumulative).

### **33 Application to Crown**

- (1) Her Majesty may by Order in Council provide for the application to the Crown of such of the provisions of this Part of this Act and of any regulations made under it as may be specified in the Order, with such exceptions, adaptations and modifications as may be so specified.
- (2) Without prejudice to the generality of subsection (1) above, an Order in Council under this section may make special provision for the enforcement of any provisions applied by the Order, and, where any such provision imposes a liability on a person by reason that he is the occupier of premises, the Order may make provision for determining, in a case where the premises are occupied by the Crown, the person who is to be treated as so liable.
- (3) Any Order in Council under this section—
  - (a) shall be made by statutory instrument and shall be subject to annulment in pursuance of a resolution of either House of Parliament;
  - (b) may be revoked or varied by a subsequent Order in Council so made.

### **34 Interpretation of Part I**

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

- " animal " does not include bird or fish ;
- " construction regulations " means regulations with respect to the construction, lay-out or equipment of premises used as a slaughterhouse or knacker's yard;
- " 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;
- " functions " includes powers and duties;
- " horse " includes ass and mule ;
- " knacker's yard " means any premises used in connection with the business of slaughtering, flaying or cutting up animals whose flesh is not intended for human consumption;
- " licence " means a licence under section 1 above authorising the use of any premises as a slaughterhouse or knacker's yard, and " slaughterhouse licence" and " knacker's yard licence " shall be construed accordingly;
- " 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;
- " slaughterhall " means that part of a slaughterhouse in which the actual slaughtering of any animal or the dressing of carcasses takes place;
- " 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

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there or for keeping, or subjecting to any treatment or process, products of the slaughtering of animals there.

**35 Saving for port slaughterhouses and knackers' yards**

Nothing in this Part of this Act shall apply to any slaughterhouse or knacker's yard forming part of an imported animals' wharf or landing place approved by the Minister under the Diseases of Animals Act 1950 for the purpose of the landing of imported animals.