



Slaughterhouses Act 1974

1974 CHAPTER 3

PART II

SLAUGHTER OF ANIMALS

Licensing of slaughtermen

39 Slaughtermen to be licensed

- (1) Subject to subsection (2) below, no animal to which section 36 above applies shall be slaughtered or stunned in a slaughterhouse or knacker's yard by any person except in accordance with a licence granted by a local authority and in force under this section.
- (2) Subsection (1) above shall not apply with respect to the slaughter, under the Diseases of Animals Act 1950, of an animal by an officer of, or a person employed by, the Minister.
- (3) Any person who slaughters or stuns, or attempts to slaughter or stun, any animal in contravention of subsection (1) above shall be guilty of an offence, unless he proves that by reason of an accident or other emergency the contravention was necessary for preventing physical injury or suffering to any person or animal.

40 Licences and applications for licences

- (1) A licence under section 39 above (in this section referred to as a " licence ")—
 - (a) except where it is granted for the purposes of the slaughter of animals by the Jewish method for the food of Jews or the Mohammedan method for the food of Mohammedans, shall specify—
 - (i) the kinds of animals which may be slaughtered or stunned by the holder of the licence; and
 - (ii) the types of instruments which may be used by him for slaughtering or stunning any such animal;

Status: This is the original version (as it was originally enacted).

- (b) may, in such cases as may be prescribed by regulations under this section, be granted or renewed subject to a condition prohibiting the slaughter of any animal in pursuance of the licence except under the supervision of the holder of a licence in force which is not subject to a like condition;
 - (c) shall be in force for such period not exceeding one year as may be specified in the licence and may be renewed from time to time for a like period at the discretion of the authority by whom it was granted; and
 - (d) except where it authorises the holder to slaughter or stun horses (whether or not it also authorises him to slaughter or stun other animals), shall be in force not only in the district of the authority by whom it was granted but also in the district of any other local authority.
- (2) The Minister may make regulations for prescribing qualifications for holding licences, or licences of any class, and for prohibiting the grant or renewal of licences to persons not having the prescribed qualifications; and a licence shall not be granted by a local authority except to a person who has attained the age of 18 years and is, in their opinion, a fit and proper person to hold a licence.
- (3) A local authority may refuse an application for the grant or renewal of a licence if the applicant has failed to comply with any condition of a licence previously granted to him by that or any other local authority or has been convicted of an offence under—
- (a) this Part of this Act or any regulations made under it;
 - (b) the Slaughter of Animals (Scotland) Acts 1928 to 1954;
 - (c) the Protection of Animals Act 1911 or the Protection of Animals (Scotland) Act 1912; or
 - (d) any order made under section 20 of the Diseases of Animals Act 1950 regulating the transport of animals.
- (4) The local authority by whom a licence was granted may revoke it—
- (a) if they are satisfied that the holder is no longer a fit and proper person to hold it; or
 - (b) if by virtue of subsection (3) above they could refuse an application for its renewal.
- (5) A local authority may at any time suspend for such period as they may determine the operation within their district of any licence which is in force there, and in particular the operation of any licence held by a person to whom by virtue of subsection (3) above they could refuse the grant or renewal of a licence.
- (6) Any person aggrieved by the refusal of a local authority to grant or renew a licence, or by the revocation, or the suspension of the operation, of a licence, may, within one month of intimation of the refusal, revocation or suspension, appeal against it to a magistrates' court.
- (7) Any person applying to a local authority for a licence shall in his application state—
- (a) whether he holds a licence granted by any other (and, if so, which) local authority;
 - (b) whether he has been refused a licence or had a licence revoked or the operation thereof suspended by any other (and, if so, which) local authority; and
 - (c) whether he has any similar application pending before any other (and, if so, which) local authority.

- (8) Any person who knowingly makes a false statement for the purpose of obtaining a licence shall be guilty of an offence.
- (9) A local authority may charge a fee not exceeding 10p for the grant of a licence and a fee not exceeding 5p for the renewal of a licence.
- (10) A licence granted by any local authority shall be produced on demand for inspection by any other local authority within whose district the licence is in force.