



# Slaughterhouses Act 1974

## 1974 CHAPTER 3

### PART II

#### SLAUGHTER OF ANIMALS

##### *Provisions as to slaughter*

### **36 Methods of slaughter in slaughterhouses and knackers' yards**

- (1) Subject to the provisions of this section, no animal to which this section applies shall, in a slaughterhouse or knacker's yard, be slaughtered otherwise than— instantaneously by means of a mechanically-operated instrument in proper repair unless—
  - (a) by stunning, effected by means of a mechanically-operated instrument or an instrument for stunning by means of electricity, being in either case an instrument in proper repair, it is instantaneously rendered insensible to pain until death supervenes ; or
  - (b) by such other means as may be prescribed by regulations under this section, it is rendered insensible to pain until death supervenes, and there are complied with such conditions (if any) as respects the use of those means as may be so prescribed.
- (2) Regulations under this section shall be made by the Minister after consultation with such organisations as appear to him to represent the interests concerned; and the regulations—
  - (a) may, if the Minister thinks fit, make different provision as respects different classes of animals to which this section applies and as respects different classes of slaughterhouses or knackers' yards ; and
  - (b) may make such incidental or consequential provision as may appear to the Minister to be necessary or expedient for the purposes of the regulations, including, in particular, in a case where a condition as respects the use of any means of rendering an animal insensible to pain consists in the giving of any approval to any matter by a local authority, provision for securing a right of appeal to a magistrates' court against a withholding or withdrawal of approval.

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*Status: This is the original version (as it was originally enacted).*

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- (3) Subsection (1) above shall not apply to the slaughter, without the infliction of unnecessary suffering, of an animal—
  - (a) by the Jewish method for the food of Jews and by a Jew duly licensed for the purpose by the Rabbinical Commission referred to in Schedule 1 to this Act; or
  - (b) by the Mohammedan method for the food of Mohammedans and by a Mohammedan.
- (4) Any person who slaughters or attempts to slaughter 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.
- (5) This section applies to horses, cattle, sheep, swine and goats.

**37 Methods of slaughter of certain swine otherwise than in slaughterhouses or knackers' yards**

- (1) Subject to subsection (2) below, no swine exceeding twelve weeks in age shall, elsewhere than in a slaughterhouse or knacker's yard, be slaughtered otherwise than instantaneously by means of a mechanically-operated instrument in proper repair unless by stunning, effected by means of a mechanically-operated instrument or an instrument for stunning by means of electricity, being in either case an instrument in proper repair, it is instantaneously rendered insensible to pain until death supervenes.
- (2) Subsection (1) above shall not apply to the slaughter of swine at a laboratory, research station or similar institution if the slaughtering is done for the purposes of the diagnosis of disease or for the purposes of research in connection with the arts of veterinary surgery or medicine.
- (3) Any person who slaughters or attempts to slaughter any swine 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.

**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 animals to which section 36 above applies ; 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 animals to which section 36 above applies 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 Diseases of Animals Act 1950, 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 ;

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 Slaughter of Animals (Amendment) Act 1954, under section 5(1) of the Protection of Animals Act 1911, section 4 of the Slaughter of Animals Act 1933 or section 1 of the Slaughter of Animals (Amendment) Act 1951.
- (4) Without prejudice to subsection (3) above, regulations made under this section with respect to horses shall in particular make provision with respect to the matters specified in Schedule 2 to this Act.
- (5) Regulations under this section may prescribe penalties for offences against the regulations, not exceeding a fine of £50 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.
- (6) Where a person convicted of any offence against regulations under this section (including a person so convicted by virtue of section 35 of the Magistrates' Courts Act 1952) 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.

### *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.

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- (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;
  - (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.

### *Enforcement and legal proceedings*

#### **41 Execution and enforcement of 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.

#### **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.
- (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 £20.
- (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 Diseases of Animals Act 1950.

### **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.
- (2) A person guilty of an offence under section 36, 37, 39 or 40 above shall be liable to a fine not exceeding £50 or to imprisonment for a term not exceeding three months or to both.
- (3) Where a person convicted of any such offence as is mentioned in subsection (2) above (including a person so convicted by virtue of section 35 of the Magistrates' Courts Act 1952) 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.

### *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;

" 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;

" local authority " means the council 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.