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STATUTORY INSTRUMENTS

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**1991 No. 1676**

**The Slaughter of Poultry (Licences and Specified Qualifications) Regulations 1991**

LICENCES

**Licensing of slaughtermen**

- 4.—(1) No person shall slaughter a bird or stun a bird prior to slaughter except—
- (a) under and in accordance with the terms of a licence granted to him by the local authority; or
  - (b) in the course of demonstrating his competence for the purpose of obtaining a certificate or licence as required by regulation 5(1)(a).
- (2) The occupier of any premises shall not cause or permit any person to slaughter a bird or stun a bird prior to slaughter on those premises in contravention of these Regulations.
- (3) Paragraph (1) above shall apply to any person who slaughters or stuns a bird by any method, including any person who is in charge of automatic equipment used to slaughter or stun a bird.

**Licences**

- 5.—(1) Where a local authority receives an application from a person for the grant of a licence authorising him to slaughter a bird or to stun a bird prior to slaughter, the local authority shall grant a licence if—
- (a) the application is accompanied by—
    - (i) such a certificate as is described in Schedule 1, or
    - (ii) where the licence will authorise the slaughter of a bird only by the Jewish method, a licence issued to the applicant for that purpose by the Rabbinical Commission in England and Wales or by the Chief Rabbi in Scotland;
  - (b) the applicant is in the opinion of the local authority a fit and proper person to hold a licence;
  - (c) the applicant is not below the age of 18 years; and
  - (d) the applicant provides the information required in paragraph (2) below.
- (2) Any person applying to a local authority for a licence shall in his application state—
- (a) whether he holds or has held 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 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.
- (3) A licence granted under this regulation shall remain in force for such period not exceeding 4 years as may be specified in the licence.
- (4) A local authority shall not renew such a licence unless in its opinion the applicant remains a fit and proper person to hold a licence.

### **Provisional licences**

- 6.—(1) The local authority may grant the applicant a provisional licence if—
- (a) the applicant is, in the opinion of the local authority, a fit and proper person to hold a provisional licence, and
  - (b) the applicant is not below the age of 18 years.
- (2) A provisional licence shall authorise a person to slaughter or stun a bird only in the presence of, and in accordance with any directions given by, a person who is—
- (a) a veterinary surgeon, or
  - (b) the holder of a licence granted under regulation 5, or
  - (c) the holder of such a certificate as is described in Schedule 1 and one or more of the qualifications listed in paragraph 3 of Schedule 2.
- (3) A provisional licence shall remain in force for such period not exceeding 3 months as may be specified in the licence and may be renewed once for a like period.

### **Refusal, revocation and suspension of licence**

- 7.—(1) A local authority may revoke or suspend a licence if the holder has been convicted of an offence under the Act or of any Regulations made under it or has failed to comply with the terms of a licence granted to him under these Regulations.
- (2) If a local authority intends to refuse to grant or renew a licence or intends to modify, suspend or revoke a licence, it shall forthwith give written notice to the applicant or, as the case may be, the licence holder of its intention in the matter.
- (3) Except where a licence is modified in accordance with an application made by the licence holder, every notice under paragraph (2) above shall include a statement of the grounds on which the intention is based.
- (4) Before refusing, modifying, suspending or revoking any licence the local authority shall give the applicant or licence holder an opportunity to make representations.

### **Fees**

8. A local authority may charge such reasonable fees as it may determine for the grant, renewal and modification of a licence but no fees may be charged for the modification of a licence unless the modification is in accordance with an application made by the licence holder.

### **Penalties**

- 9.—(1) A person who contravenes or fails to comply with regulation 4(1) or 4(2) shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.
- (2) A person who knowingly or recklessly gives false information for the purpose of obtaining a licence shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.
- (3) A person shall not be guilty of an offence under these Regulations if he proves that he took all reasonable steps and exercised all due diligence to avoid committing such an offence.
- (4) A person shall not be guilty of an offence under these Regulations if he proves that by reason of an accident or other emergency the contravention or non-compliance was necessary for preventing physical injury or suffering to any person or bird.