

SCHEDULES

SCHEDULE 9

Section 31.

SLAUGHTERHOUSES AND KNACKERS’ YARDS: UNITING OF ENFORCEMENT FUNCTIONS

*Powers to transfer enforcement functions to agriculture Ministers*

- 1
- [<sup>F1</sup>(1) This paragraph applies to the following provisions of<sup>M1</sup> the Slaughter of Poultry Act 1967—

(a) section 3 (power to make regulations for securing humane conditions of slaughter),

(b) section 4 (power to authorise persons to exercise rights of entry), and

(c) section 6 (duty to execute and enforce the provisions of that Act and of regulations under section 3 of that Act).

(2) The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales acting jointly may by regulations provide for any functions under a provision to which this paragraph applies, so far as exercisable by local authorities, to be transferred—

(a) so far as exercisable by local authorities in England, to the Minister of Agriculture, Fisheries and Food, and

(b) so far as exercisable by local authorities in Scotland or Wales, to the Secretary of State.]
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|---|--|
| <b>Textual Amendments</b>                     |  |
| <b>F1</b>                                     | Sch. 9 para. 1 repealed (S.) (1.1.2013) by <a href="#">The Welfare of Animals at the Time of Killing (Scotland) Regulations 2012 (S.S.I. 2012/321)</a> , reg. 1(b) , <b>Sch. 5 Pt. 1</b> |
| <b>Modifications etc. (not altering text)</b> |  |
| <b>C1</b>                                     | Sch. 9 para. 1: transfer of functions, property, rights and liabilities (27.12.1999) by <a href="#">S.I. 1999/3141</a> , <b>arts. 2(4)(5)</b> , 3 (with <a href="#">arts. 3</a> , 5 )    |
| <b>Marginal Citations</b>                     |  |
| <b>M1</b>                                     | <a href="#">1967 c. 24</a> .   |
- 2

[<sup>F2</sup>(1) This paragraph applies to the following provisions of the Slaughterhouses<sup>M2</sup>Act 1974—

<sup>F3</sup>(a)

.....

(b) section 38 (power to make regulations for securing humane conditions of slaughter),

<sup>F3</sup>(c)

.....

<sup>F3</sup>(d)

.....

*Changes to legislation: There are currently no known outstanding effects for the Deregulation and Contracting Out Act 1994, SCHEDULE 9. (See end of Document for details)*

- (e) section 41 (duty to execute and enforce the provisions of, and of regulations under, Part II of that Act), and
  - (f) section 42(1) (power to appoint persons for the purpose of exercising powers of entry).
- (2) The Minister of Agriculture, Fisheries and Food and the Secretary of State acting jointly may by regulations provide for any functions under a provision to which this paragraph applies, so far as exercisable by local authorities, to be transferred—
- (a) so far as exercisable by local authorities in England, to the Minister of Agriculture, Fisheries and Food, and
  - (b) so far as exercisable by local authorities in Wales, to the Secretary of State.]

#### Textual Amendments

**F2** Sch. 9 para. 2 repealed (S.) (1.1.2013) by [The Welfare of Animals at the Time of Killing \(Scotland\) Regulations 2012 \(S.S.I. 2012/321\)](#), reg. 1(b), [Sch. 5 Pt. 1](#)

**F3** Sch. 9 para. 2(1)(a)(c)(d) repealed (1.4.1995) by [S.I. 1995/731](#), reg. 28(1), [Sch. 13](#)

#### Marginal Citations

**M2** 1974 c. 3.

- 3 (1) This paragraph applies to the following provisions of <sup>M3</sup>the Slaughter of Animals (Scotland) Act 1980 (which correspond to the provisions to which paragraph 2 above applies)—
- (a) section 9,
  - <sup>F4</sup>(b) .....
  - (c) section 14(3)(c),
  - <sup>F4</sup>(d) .....
  - <sup>F4</sup>(e) .....
  - (f) section 19(1).
- (2) The Secretary of State may by regulations provide for any functions under a provision to which this paragraph applies, so far as exercisable by local authorities, to be transferred to the Secretary of State.

#### Textual Amendments

**F4** Sch. 9 para. 3(1)(b)(d)(e) repealed (1.4.1995) by [S.I. 1995/731](#), regs. 1, 28(1), [Sch 13](#)

#### Marginal Citations

**M3** 1980 c. 13.

- 4 No functions under the Slaughterhouses <sup>M4</sup>Act 1974 or the Slaughter of Animals (Scotland) Act 1980 relating to knackers' yards (within the meaning of the Act concerned) shall be transferred under this Schedule unless the transferee has, in relation to the yards to which the transferred functions relate, functions with respect to the enforcement of law relating to animal health.

**Changes to legislation:** There are currently no known outstanding effects for the Deregulation and Contracting Out Act 1994, SCHEDULE 9. (See end of Document for details)

#### Marginal Citations

**M4** 1974 c. 3.

5 [F5(1) Regulations under paragraph 1(2), 2(2) or 3(2) above may contain such supplemental, incidental, consequential and transitional provisions and savings as the authority making the regulations considers appropriate and may, in particular, contain such amendments or repeals of any enactment or subordinate legislation (within the meaning of M5 the Interpretation Act 1978) as that authority considers appropriate in consequence of a transfer of functions under that sub-paragraph.

(2) The power to make regulations under paragraph 1(2), 2(2) or 3(2) above shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

#### Textual Amendments

**F5** Sch. 9 para. 5 repealed (S.) (1.1.2013) by The Welfare of Animals at the Time of Killing (Scotland) Regulations 2012 (S.S.I. 2012/321), reg. 1(b), Sch. 5 Pt. 1

#### Marginal Citations

**M5** 1978 c. 30.

#### *Territorial division of enforcement functions under the Food Safety Act 1990*

6 In section 6(4)(a) of M6 the Food Safety Act 1990 (which lists authorities from which regulations or orders under the Act must select the authority to enforce and execute them) for “the Minister” there shall be substituted “ the Minister of Agriculture, Fisheries and Food, the Secretary of State ”.

#### Marginal Citations

**M6** 1990 c. 16.

**Changes to legislation:**

There are currently no known outstanding effects for the Deregulation and Contracting Out Act 1994, SCHEDULE 9.