

Changes to legislation: Deregulation and Contracting Out Act 1994, SCHEDULE 9 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 9

Section 31.

SLAUGHTERHOUSES AND KNACKERS' YARDS: UNITING OF ENFORCEMENT FUNCTIONS

Powers to transfer enforcement functions to agriculture Ministers

- 1 [F1(1) This paragraph applies to the following provisions of M1 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.]

Textual Amendments

- F1 Sch. 9 para. 1 repealed (S.) (1.1.2013) by [The Welfare of Animals at the Time of Killing \(Scotland\) Regulations 2012 \(S.S.I. 2012/321\)](#), reg. 1(b), [Sch. 5 Pt. 1](#)

Modifications etc. (not altering text)

- C1 Sch. 9 para. 1: transfer of functions, property, rights and liabilities (27.12.1999) by [S.I. 1999/3141](#), [arts. 2\(4\)\(5\)](#), [3](#) (with [arts. 3](#), [5](#))

Marginal Citations

- M1 1967 c. 24.

- 2 [F2(1) This paragraph applies to the following provisions of the Slaughterhouses M2 Act 1974—
- F3(a)
 - (b) section 38 (power to make regulations for securing humane conditions of slaughter),
 - F3(c)
 - F3(d)

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- (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 ^{M3}the Slaughter of Animals (Scotland) Act 1980 (which correspond to the provisions to which paragraph 2 above applies)—
- (a) section 9,
 - ^{F4}(b)
 - (c) section 14(3)(c),
 - ^{F4}(d)
 - ^{F4}(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 ^{M4}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.

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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.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 71(3)(ha) inserted by [2023 c. 55 Sch. 12 para. 4](#)