
STATUTORY RULES OF NORTHERN IRELAND

2014 No. 107

**The Welfare of Animals at the Time of
Killing Regulations (Northern Ireland) 2014**

PART 1

GENERAL

Citation and commencement

1. These Regulations may be cited as the Welfare of Animals at the Time of Killing Regulations (Northern Ireland) 2014 and shall come into operation on 21st May 2014.

Expiry

- 2.—(1) The following provisions cease to have effect on 8th December 2015—
- (a) regulation 36; and
 - (b) Schedule 7.
- (2) The following provisions cease to have effect on 8th December 2019—
- (a) regulation 23(1)(g);
 - (b) regulation 37; and
 - (c) Schedule 8.

Interpretation

- 3.—(1) In these Regulations—
- “the 1996 Regulations” means the Welfare of Animals (Slaughter or Killing) Regulations (Northern Ireland) 1996^{M1};
 - “authorised veterinary surgeon” means a veterinary surgeon authorised by the Department for the purposes of these Regulations;
 - “certificate” (except in the terms “temporary certificate”, “transitional certificate” or as used in regulation 34(2)) means a certificate of competence as mentioned in Article 21 and includes a qualification recognised by the competent authority as equivalent to a certificate in accordance with Article 21(7);
 - “competent authority” has the meaning given in regulation 4;
 - “the Department” means the Department of Agriculture and Rural Development;
 - “EU Regulation” means Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing^{M2};
 - “evidence of training and examination” means—

- (a) a certificate granted by a body, recognised and regulated by the Office of Qualifications and Examinations Regulation (Ofqual) ^{M3} which oversees the training and assessment of persons carrying out the killing of animals and related operations, confirming the passing of an independent examination as provided for in Article 21;
- (aa) [^{F1} a document attesting the passing of an independent final examination issued by—
 - (i) a body designated by the Republic of Ireland as responsible for delivering certificates in accordance with Article 21(1) of the EU Regulation as it has effect in EU law as amended from time to time, or
 - (ii) a body to whom the function of the final examination or the issuing of certificates has been delegated in the Republic of Ireland in accordance with Article 21(2) of the EU Regulation as it has effect in EU law as amended from time to time;
- (ab) a certificate issued in the Republic of Ireland in reliance on Article 29(2) of the EU Regulation as it has effect in EU law;]
- (b) a licence granted by the Rabbinical Commission for the purpose of slaughtering animals in accordance with the Jewish method (Shechita) and confirming the passing of an independent examination as provided for in Article 21; or
- (c) a formal veterinary qualification, as recognised by the Royal College of Veterinary Surgeons (RCVS) ^{M4}, and RCVS continuing professional development record combined;

“horse” includes a hinny, ass or mule;

“inspector” means an inspector appointed under regulation 27 or an inspector appointed under section 45 of the Welfare of Animals Act (Northern Ireland) 2011 ^{M5};

“killing establishment” means any premises, including a knacker's yard, used principally for the storage of animal carcasses but also for the commercial killing of animals for purposes other than human consumption, including any associated facilities for handling and lairaging such animals;

“Rabbinical Commission” means the Rabbinical Commission for the licensing of Shochetim in England and Wales or the Chief Rabbi in Scotland, responsible for licensing persons carrying out the slaughter of animals in accordance with the Jewish method (Shechita);

“restraining facility for non-stun slaughter” means a pen or compartment which is—

- (a) suitable for restraining a bovine animal in an upright position for the purpose of slaughtering in accordance with religious rites (as defined in paragraph 1(c) of Schedule 3); and
- (b) approved in accordance with paragraph 3 of Schedule 3;

“simple stunning” has the same meaning as in Article 4(1) and “simple stunned” is to be construed accordingly;

“stunning pen” means a pen or compartment which is suitable for restraining an adult bovine animal for the purpose of stunning and which is constructed in accordance with paragraph 8 of Schedule 1 or paragraph 9 of Schedule 2;

“temporary certificate” means a temporary certificate of competence as mentioned in Article 21(5);

“transitional certificate” means a transitional certificate of competence as mentioned in Part 2 of Schedule 7;

“veterinary surgeon” means a person registered in the register of veterinary surgeons under section 2 of the Veterinary Surgeons Act 1966 ^{M6}; and

“WASK licence” means a registered licence required by or granted in accordance with Schedule 1 to the 1996 Regulations or Schedule 1 to the Welfare of Animals (Slaughter or Killing) Regulations 1995 ^{M7}.

(2) Terms and expressions used in these Regulations that are also used in the EU Regulation have the same meaning in these Regulations as they have in the EU Regulation, unless specified otherwise.

(3) In these Regulations, a reference to an Article, a Chapter or an Annex is a reference to that Article or Chapter of, or that Annex to, the EU Regulation.

(4) Any reference to an Annex to the EU Regulation is a reference to that Annex as amended from time to time.

(5) The Interpretation Act (Northern Ireland) 1954 ^{M8}, except section 20(2) and (3), shall apply to these Regulations as it applies to an Act of the Assembly.

Textual Amendments

- F1** Words in [reg. 3\(1\)](#) inserted (31.12.2020) by [The Welfare of Animals at the Time of Killing \(England and Northern Ireland\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1308\)](#), [regs. 1, 2](#); 2020 [c. 1, Sch. 5 para. 1\(1\)](#)

Marginal Citations

- M1** [S.R. 1996 No. 558](#), as amended by [S.R. 2000 No. 76](#), [S.R. 2000 No. 78](#), [S.R. 2001 No. 66](#), [S.R. 2001 No. 186](#), [S.R. 2002 No. 304](#), [S.R. 2004 No. 209](#), [S.R. 2008 No. 277](#) and [S.R. 2011 No. 407](#).
- M2** [O.J. No. L 303, 18.11.2009, p. 1](#)
- M3** [Ofqual](#), a non-ministerial Government Department, was established by section 127 of the [Apprenticeships, Skills, Children and Learning Act 2009 \(c.22\)](#). The matters in relation to which [Ofqual](#) has functions are set out in part 7 of that Act and include the regulation of vocational qualifications in Northern Ireland.
- M4** [RCVS](#) was established by Royal Charter in 1844 and is responsible for the registration of veterinary surgeons and the regulation of their education, ethical and clinical standards.
- M5** [2011 c.16 \(N.I\)](#)
- M6** [1966 c.36](#); [section 2](#) was amended by [S.I. 2003/2919](#), [Article 12](#) and the Schedule, paragraph 1 and [S.I. 2008/1824](#), [Article 2](#) and the Schedule, paragraph 2(a).
- M7** [S.I. 1995 No. 731](#)
- M8** [1954 c.33 \(N.I.\)](#)

The competent authority

4. The Department is the competent authority for the purposes of the EU Regulation and these Regulations.

PART 2

CERTIFICATES AND TEMPORARY CERTIFICATES

Requirement for a certificate or temporary certificate

5.—(1) Subject to regulation 36 and Schedule 7, no person may carry out an operation specified in regulation 6 except under and to the extent authorised by a certificate registered with the competent authority or a temporary certificate.

(2) No person may carry out an operation specified in regulation 6 under a temporary certificate unless that person works in the presence, and under the direct supervision of, a person who holds a certificate registered with the competent authority in relation to that operation.

Operations which require a certificate or temporary certificate

6. The operations referred to in regulation 5 are—
- (a) a slaughter operation specified in Article 7(2)(a) to (g);
 - (b) the pithing of a stunned animal;
 - (c) the assessment of effective pithing;
 - (d) supervising the killing of fur animals in accordance with Article 7(3); and
 - (e) the slaughtering of poultry, rabbits and hares on the farm for the purpose of directly supplying small quantities of meat by the producer to the final consumer or to local retail establishments supplying such meat directly to the final consumer as fresh meat where the number of animals slaughtered on the farm exceeds the maximum number of animals referred to in Article 11.

Certificates

7. The competent authority shall grant and register a certificate if—
- (a) the applicant meets the conditions in regulation 8; and
 - (b) the competent authority is satisfied the applicant is a fit and proper person to hold a certificate.

Conditions for a certificate

8. The applicant shall—
- (a) not be less than 16 years old;
 - (b) subject to regulation 36, submit evidence of training and examination in respect of the operation, category of animal and (where appropriate) type of equipment for which a certificate is sought;
 - (c) submit a written declaration in accordance with Article 21(6); and
 - (d) provide written details if the applicant has—
 - (i) been convicted of an offence concerning the welfare of animals;
 - (ii) been refused a licence under the 1996 Regulations in relation to the killing of an animal or related operation; or
 - (iii) had any such licence revoked or suspended.

Temporary certificates

9. The competent authority shall grant a temporary certificate if—
- (a) the applicant meets the conditions in regulation 10; and
 - (b) the competent authority is satisfied the applicant is a fit and proper person to hold a temporary certificate.

Conditions for a temporary certificate

10. The applicant shall—

- (a) not be less than 16 years old;
- (b) submit evidence of registration on a training course in respect of the operation, category of animal and (where appropriate) type of equipment for which a temporary certificate is sought;
- (c) submit a written declaration in accordance with Article 21(5)(d) and (6); and
- (d) provide written details if the applicant has—
 - (i) been convicted of an offence concerning the welfare of animals;
 - (ii) been refused a licence under the 1996 Regulations in relation to the killing of an animal or related operation; or
 - (iii) had any such licence revoked or suspended.

Grant of certificates and temporary certificates

11.—(1) A certificate or temporary certificate shall specify the operation, category of animal and (where appropriate) type of equipment in respect of which it has been granted.

(2) A certificate or temporary certificate may be granted in respect of an operation, category of animal and (where appropriate) type of equipment only if—

- (a) in the case of a certificate, the evidence of training and examination submitted with the application for the certificate relates to that operation, category of animal and type of equipment; or
- (b) in the case of a temporary certificate, the training course on which the applicant is registered provides training in relation to that operation, category of animal and type of equipment.

(3) Certificates, temporary certificates or licences granted in England, Scotland, Wales or [^{F2}a member State] for operations which require a certificate in Northern Ireland under these Regulations shall have effect in Northern Ireland as if they were certificates or temporary certificates granted under these Regulations.

Textual Amendments

- F2** Words in reg. 11 substituted (31.12.2020) by [The Agriculture, Animals and Aquaculture \(Health, Identification, Welfare, Trade etc.\) \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/324\)](#), regs. 1(3), **19(2)**

PART 3

ADMINISTRATIVE PROVISIONS

Refusal to grant a certificate or temporary certificate

12.—(1) The competent authority may, by notice in writing served on the applicant, refuse to grant a certificate or a temporary certificate if satisfied that the applicant—

- (a) has failed to meet any of the conditions in regulation 8 or 10 (as the case may be); or
- (b) is not a fit and proper person to hold a certificate or temporary certificate of competence.

(2) The notice shall—

- (a) give reasons for the refusal; and

- (b) give details of the right of review by the competent authority against the decision.

Suspension or revocation of a certificate or temporary certificate

13.—(1) The competent authority may, by notice in writing served on the holder of the certificate or temporary certificate, suspend or revoke a certificate or temporary certificate, (including a certificate or temporary certificate granted in [^{F3}a member State]), if satisfied that the holder of the certificate or temporary certificate—

- (a) has failed to comply with any provision of the EU Regulation or these Regulations;
 - (b) is no longer a fit and proper person to hold it;
 - (c) is not, or is no longer, competent to carry out the operations which the certificate or temporary certificate authorises; or
 - (d) has been convicted of an offence concerning the welfare of animals.
- (2) The notice shall—
- (a) give reasons for the suspension or revocation;
 - (b) state when the suspension or revocation comes into effect and, in the case of suspension, state on what date or event it is to cease to have effect; and
 - (c) give details of the right of review by the competent authority against the decision.

(3) Any person whose certificate or temporary certificate is suspended or revoked shall, whether or not that suspension or revocation is the subject of a review pursuant to regulation 16, surrender it to the competent authority within 14 days of receipt of the notice informing that person of the suspension or revocation.

Textual Amendments

- F3** Words in [reg. 13](#) substituted (31.12.2020) by [The Agriculture, Animals and Aquaculture \(Health, Identification, Welfare, Trade etc.\) \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/324\)](#), [regs. 1\(3\), 19\(2\)](#)

Modification of a certificate

14. The competent authority shall modify a certificate in respect of an operation, category of animal or (where appropriate) type of equipment on request by an applicant if—

- (a) the applicant meets the conditions in regulation 8 in respect of the modification; and
- (b) the competent authority is satisfied the applicant is a fit and proper person to hold a certificate, as modified.

Refusal to modify a certificate

15.—(1) The competent authority may, by notice in writing, refuse to modify a certificate if satisfied that the applicant—

- (a) has failed to meet the conditions in regulation 8 in respect of the modification; or
- (b) is not a fit and proper person to hold a certificate, as modified.

(2) The notice shall—

- (a) give reasons for the refusal; and
- (b) give details of the right of review by the competent authority against the decision.

Review by the competent authority

16.—(1) A person who is aggrieved by a decision of the competent authority to refuse, suspend or revoke a certificate or temporary certificate or to refuse to modify a certificate shall have a right to make representations (oral or written) to the competent authority and to have those representations considered by an independent person appointed by the competent authority.

(2) Any representations shall be made within 21 days of the person receiving notification of the decision of the competent authority.

(3) The independent person shall consider the representations and make recommendations in writing to the competent authority.

(4) The competent authority shall—

- (a) reconsider its decision in the light of the recommendations of the independent person; and
- (b) give the person who made the representations written notification of its final determination and the reasons for it.

[^{F4}(5) A person who is aggrieved by the final determination of the competent authority under paragraph (4) may, within 21 days of the notification of the determination, appeal against that determination to a court of summary jurisdiction.]

Textual Amendments

- F4** Reg. 16(5) inserted (23.7.2015) by [The Non-Commercial Movement of Pet Animals \(Amendment\) Order \(Northern Ireland\) 2015 \(S.R. 2015/282\)](#), art. 1, **Sch. para. 13**

WASK licences

17.—(1) On the coming into operation of these Regulations, the holder of a valid WASK licence shall surrender the WASK licence to the competent authority.

(2) On surrender of a valid WASK licence the competent authority shall issue a certificate in respect of the holder.

PART 4

NATIONAL RULES

Additional requirements for slaughterhouses

18. Schedule 1 (additional requirements for slaughterhouses) has effect.

Additional requirements for killing animals other than in slaughterhouses

19. Schedule 2 (additional requirements for killing animals other than in slaughterhouses) has effect.

Additional requirements for slaughtering animals in accordance with religious rites

20. Schedule 3 (additional requirements for slaughtering animals in accordance with religious rites) has effect.

Killing animals other than those to which the EU Regulation applies

21. Schedule 4 (killing animals other than those to which the EU Regulation applies) has effect.

PART 5

DEROGATION

Depopulation operations

22. Where the competent authority grants a derogation under Article 18(3), the competent authority must publish notice in writing of that decision which may be—

- (a) subject to conditions;
- (b) published in such manner as the competent authority thinks fit; and
- (c) amended, suspended or revoked in writing.

PART 6

OFFENCES AND PENALTIES

Offences

23.—(1) It is an offence for a person to contravene, or to cause or permit a person to contravene—

- (a) regulation 5 (requirement for a certificate or temporary certificate);
- (b) any of paragraphs 3 to 32 of Schedule 1 (additional requirements for slaughterhouses);
- (c) any of paragraphs 4 to 43 of Schedule 2 (additional requirements for killing animals other than in slaughterhouses);
- (d) any of paragraphs 2 to 8 of Schedule 3 (additional requirements for slaughtering animals in accordance with religious rites);
- (e) paragraphs 4 or 5 of Schedule 4 (killing animals other than those to which the EU Regulation applies);
- (f) a provision of the EU Regulation specified in Schedule 5, except where it is not necessary to comply with the provision by virtue of—
 - (i) an exemption or transitional provision specified in the EU Regulation; or
 - (ii) a derogation granted by the competent authority under Article 18(3) in relation to a depopulation operation; or
- (g) until 8th December 2019, any of paragraphs 1 to 7 of Schedule 8, to the extent that they apply by virtue of regulation 37 (transitional provisions: slaughterhouses).

(2) It is an offence for a person to fail to comply with an enforcement notice under regulation 31.

Obstruction offences

24. It is an offence—

- (a) intentionally to obstruct any person acting in the execution of the EU Regulation or these Regulations;
- (b) without reasonable cause, to fail to give to any such person any assistance or information that that person may reasonably require;

- (c) to furnish to any such person any information knowing it to be false or misleading; or
- (d) to fail to produce a document or record to any such person when required to do so.

Offences by bodies corporate

25.—(1) Where a body corporate is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of—

- (a) a director, manager, secretary or other similar officer of the body corporate; or
- (b) a person who was purporting to act in any such capacity,

that person, as well as the body corporate, is guilty of the offence.

(2) In paragraph (1) “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

Penalties

26.—(1) A person guilty of an offence under regulations 23 or 24 is liable on summary conviction to a fine not exceeding level 5 on the standard scale, except where specified in paragraph (2).

(2) A person guilty of an offence under regulation 23(1)(f) in relation to a contravention of Article 3 of the EU Regulation is liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding three months.

PART 7

ENFORCEMENT

Inspectors

27.—(1) The competent authority or a district council may appoint inspectors for the purpose of enforcing the EU Regulation and these Regulations.

(2) In appointing a person to be an inspector for the purposes of these Regulations, a district council must have regard to guidance issued by the competent authority.

(3) The competent authority may, in connection with guidance under paragraph (2), draw up a list of persons whom the competent authority consider suitable for appointment by a district council to be an inspector for the purposes of these Regulations.

(4) A person may be included on a list under paragraph (3) as suitable for appointment as an inspector for all the purposes of these Regulations or only for such one or more purposes as may be specified on the list.

(5) Each council must furnish to the competent authority, at such times and in such manner as the competent authority may direct—

- (a) such information relating to the exercise of the district council's functions under this regulation; and
- (b) such information relating to the exercise of functions by inspectors appointed by the district council for the purposes of these Regulations,

as the competent authority may require.

(6) An inspector shall not be liable in any civil or criminal proceedings for anything done in the purported performance of the inspector's functions under these Regulations if the Court is satisfied that the act was done in good faith and that there were reasonable grounds for doing it.

(7) Relief from liability of an inspector under paragraph (6) shall not affect any liability of any other person in respect of the inspector's act.

Power to enter premises

28.—(1) An inspector may, on giving reasonable notice, enter any premises at a reasonable hour for the purpose of executing or enforcing the EU Regulations and these Regulations, and in this Part, “premises” includes any land, building, shed, pen, receptacle or vehicle of any description.

(2) The requirement to give notice does not apply—

- (a) where the requirement has been waived;
- (b) where reasonable efforts to agree an appointment have failed;
- (c) where an inspector has reasonable suspicion of a failure to comply with the EU Regulation or these Regulations;
- (d) where an inspector reasonably believes that giving notice would defeat the object of the entry; or
- (e) in an emergency where entry is required urgently.

(3) Paragraph (1) does not apply in relation to any premises which are used wholly or mainly as a private dwelling house unless a right of entry is conferred by a warrant granted under regulation 29.

(4) An inspector shall, if requested to do so, produce a duly authenticated authorisation document.

(5) An inspector who enters any unoccupied premises shall leave them as effectively secured against unauthorised entry as they were before entry.

[^{F5}(6) An inspector may be accompanied by such other persons as the inspector considers necessary.]

Textual Amendments

F5 Reg. 28(6) substituted (31.12.2020) by [The Animal Health and Welfare \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/158\)](#), regs. 1(1), 7(4); 2020 c. 1, Sch. 5 para. 1(1)

Warrants

29.—(1) A lay magistrate may, by signed warrant, authorise an inspector to enter premises, if necessary by reasonable force, if satisfied on sworn information in writing—

- (a) that there are reasonable grounds to enter those premises for the purpose of enforcing the EU Regulation or these Regulations; and
- (b) that any of the conditions in paragraph (2) are met.

(2) The conditions are—

- (a) entry to the premises has been, or is likely to be, refused, and notice of the intention to apply for a warrant has been given to the occupier;
- (b) asking for admission to the premises, or giving such a notice, would defeat the object of the entry;
- (c) entry is required urgently; or
- (d) the premises are unoccupied or the occupier is temporarily absent.

(3) A warrant granted under this regulation is valid for three months.

Power to inspect and seize

30.—(1) An inspector who has entered premises for the purposes of executing and enforcing the EU Regulation or these Regulations may for those purposes—

- (a) carry out any examination, investigation or test;
- (b) make any enquiries, observe any operation or process, and take recordings or photographs;
- (c) inspect and search the premises;
- (d) take samples (and send them for laboratory testing) from any animal, carcase or part of a carcase;
- (e) seize and detain any animal, carcase, part of a carcase, equipment or instrument for further examining, investigating or testing;
- (f) have access to, inspect and check the data on, and operation of, any computer and any associated equipment;
- (g) seize any computers and associated equipment for the purpose of copying data, but only if the inspector has a reasonable suspicion that an offence under these Regulations has been committed, and provided that they are returned as soon as practicable;
- (h) require the production of any document or record and inspect and take a copy of or extract from such document or record;
- (i) require any person to provide such assistance, information, facilities or equipment as is reasonable; and
- (j) mark any animal, carcase, part of carcase, equipment or instrument found on the premises for identification purposes.

(2) An inspector shall—

- (a) as soon as reasonably practicable, provide to the person appearing to be responsible for any items that the inspector seizes under paragraph (1) a written receipt identifying those items; and
- (b) as soon as is reasonably practicable after deciding that those items are no longer required, return them, apart from those to be used as evidence in court proceedings.

(3) Where an inspector has seized items under paragraph (1) for use in evidence in court proceedings and—

- (a) it is subsequently decided—
 - (i) that no court proceedings are to be brought; or
 - (ii) that those items are no longer needed as evidence in court proceedings; or
- (b) the court proceedings are completed and no order in relation to those items has been made by the court,

an inspector shall return the items as soon as is reasonably practicable.

Enforcement notices

31.—(1) An enforcement notice is a notice in writing—

- (a) requiring a person to take specified steps to remedy a contravention of the EU Regulation or these Regulations;
- (b) requiring a person to reduce the rate of operation to such extent as is specified in the notice until that person has taken specified steps to remedy a contravention of the EU Regulation or these Regulations; or

- (c) prohibiting a person from carrying on an activity, process or operation, or using facilities or equipment, specified in the notice until the person has taken specified steps to remedy a contravention of the EU Regulation or these Regulations.
- (2) An inspector who is of the opinion that a person has contravened or is contravening the EU Regulation or these Regulations may serve on that person an enforcement notice.
- (3) An enforcement notice shall—
 - (a) state that the inspector is of that opinion;
 - (b) state the date and time of service of the notice;
 - (c) identify the recipient of the notice;
 - (d) specify the matters constituting the contravention;
 - (e) specify the steps that shall be taken to remedy the contravention;
 - (f) specify the period within which those steps shall be taken; and
 - (g) give details of the right of appeal against the notice.
- (4) A person on whom an enforcement notice is served shall comply with it at that person's own expense.
- (5) If an enforcement notice is not complied with, the inspector may arrange for it to be complied with at the expense of the person on whom it was served.
- (6) An inspector shall serve a completion notice if, after service of the enforcement notice, the inspector is satisfied that the person has taken the steps specified in the notice to remedy the contravention.
- (7) In the event of an inspector not being satisfied as provided for in paragraph (6), the inspector may, by notice in writing, refuse to serve a completion notice and the notice must—
 - (a) give reasons for the refusal; and
 - (b) give details for the right of appeal against the decision.
- (8) An enforcement notice ceases to have effect on the issue of a completion notice.
- (9) An inspector may at any time withdraw or vary an enforcement notice in writing.

Appeals against enforcement notices

- 32.**—(1) Any person who is aggrieved by—
- (a) a decision of an inspector to serve an enforcement notice; or
 - (b) a decision of an inspector to refuse to issue a completion notice,
- may appeal to a court of summary jurisdiction.
- (2) An enforcement notice is not suspended pending an appeal unless the court orders otherwise.
 - (3) On appeal the court may either cancel or confirm the enforcement notice, with or without modification, or make such order as it thinks fit as regards refusal to serve a completion notice.

Power of a district council to prosecute

- 33.** A district council may prosecute any offence under these Regulations.

Time limits for prosecutions

- 34.**—(1) Notwithstanding anything in Article 19(1) of the Magistrates' Courts (Northern Ireland) Order 1981^{M9}, a Magistrates' Court may hear and determine a complaint relating to an offence under these Regulations if the complaint is made—

- (a) before the end of the period of three years beginning with the date of the commission of the offence; and
 - (b) before the end of the period of twelve months beginning with the date on which evidence which the prosecutor thinks is sufficient to justify the proceedings comes to the prosecutor's knowledge.
- (2) For the purposes of paragraph (1)(b)—
- (a) a certificate signed by or on behalf of the prosecutor and stating the date on which such evidence came to the prosecutor's knowledge shall be conclusive evidence of that fact; and
 - (b) a certificate stating that matter and purporting to be so signed shall be treated as so signed unless the contrary is proved.

Marginal Citations

M9 1981 No. 1675 (N.I. 26)

PART 8

MISCELLANEOUS PROVISIONS

Consequential amendments

35. Schedule 6 (consequential amendments) has effect.

Transitional provisions: certificates

36. Schedule 7 (transitional provisions: certificates) has effect.

Transitional provisions: slaughterhouses

37.—(1) Paragraph (2) applies in relation to a slaughterhouse in operation immediately before 1st January 2013, but does not apply in relation to—

- (a) any new layout or construction of such a slaughterhouse (or associated lairage) brought into operation after that date; or
- (b) any new equipment used in such a slaughterhouse and brought into operation after that date.

(2) In relation to a slaughterhouse to which this paragraph applies, until 8th December 2019—

- (a) Article 14(1) and Annex II do not apply; and
- (b) Schedule 8 applies.

Review

38.—(1) The Department may from time to time—

- (a) carry out a review of these Regulations;
- (b) set out the conclusions of the review in a report; and
- (c) publish the report.

(2) In carrying out a review the Department must, so far as is reasonable, have regard to how the EU Regulation is enforced in [F6member States] .

- (3) The report must in particular—
- (a) set out the objectives intended to be achieved by these Regulations;
 - (b) assess the extent to which those objectives are achieved; and
 - (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved in a less burdensome way.

Textual Amendments

- F6** Words in [reg. 38\(2\)](#) substituted (31.12.2020) by [The Agriculture, Animals and Aquaculture \(Health, Identification, Welfare, Trade etc.\) \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/324\)](#), [regs. 1\(3\)](#), **19(3)**

Revocations

39. The instruments mentioned in columns 1 and 2 of Schedule 9 (revocations) are revoked to the extent specified in column 3 of that Schedule.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 8th April 2014

L.S.

Geraldine Fee
A senior officer of the
Department of Agriculture and Rural
Development

Changes to legislation:

There are currently no known outstanding effects for the The Welfare of Animals at the Time of Killing Regulations (Northern Ireland) 2014.