



# Slaughterhouses Act 1974

## 1974 CHAPTER 3

### PART I

#### SLAUGHTERHOUSES AND KNACKERS' YARDS

##### *Licensing of private slaughterhouses and knackers' yards*

### **1 Slaughterhouses and knackers' yards to be licensed.**

- (1) It shall be an offence—
  - (a) for the occupier of any premises to use them as a slaughterhouse or knacker's yard, or to permit them to be so used, unless he holds a licence under this section authorising him to keep those premises as a slaughterhouse or, as the case may be, a knacker's yard, or
  - (b) for any person other than the occupier to use any premises as a slaughterhouse or knacker's yard, unless the occupier holds such a licence in respect of those premises.
- (2) Licences under this section (in this Part of this Act referred to as "licences") shall be granted by the local authority, subject to and in accordance with the provisions of this Part.
- (3) Where any premises used or to be used for the confinement of animals awaiting slaughter in a slaughterhouse or knacker's yard are situated outside the curtilage of the premises used or to be used for the slaughter, separate licences may be granted authorising the use of those premises for the purposes of the confinement and the slaughter respectively.
- (4) In relation to the use of any premises for or in connection with the slaughter of horses, a licence shall be of no effect unless it expressly authorises the use of the premises for that purpose.

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: Slaughterhouses Act 1974, Cross Heading: Licensing of private slaughterhouses and knackers’ yards is up to date with all changes known to be in force on or before 31 May 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)*

**2 Slaughterhouse licences and applications for such licences.**

- (1) Where a local authority receive from the occupier of, or a person proposing to occupy, any premises an application for the grant or renewal of a licence authorising him to occupy those premises as a slaughterhouse, then, subject to the following provisions of this section and to sections 3 and 6 below, the authority—
  - (a) shall grant or, as the case may be, renew the licence in accordance with the application if they are satisfied that the requirements mentioned in subsection (2) below are, or within a reasonable time will be, complied with in respect of the premises; and
  - (b) shall refuse to grant or, as the case may be, renew the licence if they are not so satisfied.
- (2) The requirements referred to in subsection (1)(a) above are the requirements relating to slaughterhouses—
  - (a) of regulations under [<sup>F1</sup>section 16 of the Food Safety Act 1990];
  - (b) of byelaws, if any, made by the authority under section 12 below; and
  - (c) of construction regulations under section 38 below.
- (3) The reference in subsection (2)(c) above to the requirements of construction regulations under section 38 below shall, in relation to an application which does not state expressly that it is for a slaughterhouse licence containing an authorisation in respect of horses under section 1(4) above, be construed as excluding such of those requirements as relate only to horses; but any licence granted or renewed in pursuance of such an application shall not contain such an authorisation.
- (4) A local authority shall not grant or renew a slaughterhouse licence until an officer of the authority has inspected the premises named in the application and has made a report on those premises.
- (5) A local authority may require a person who applies for the grant or renewal of a slaughterhouse licence to give to them, before his application is considered, information as to any other licence in respect of a slaughterhouse or knacker’s yard which he holds or has held, either in their district or in the district of another local authority; and if an applicant who is so required gives the authority any information which is false in a material respect, he shall be guilty of an offence.
- (6) . . . . . <sup>F2</sup>
- (7) . . . <sup>F2</sup>

**Textual Amendments**

**F1** Words substituted by virtue of [Food Safety Act 1990 \(c. 16, SIF 53:1, 2\)](#), s. 59(1), [Sch. 3 para. 18\(a\)](#)

**F2** [S. 2\(6\)\(7\)](#) repealed by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\)](#), s. 194, [Sch. 34 Pt. I](#)

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**Modifications etc. (not altering text)**

**C1** [S. 2\(1\)](#) excluded by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\)](#), s. 1(1), [Sch. 1](#)

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### **3 Certain applications for slaughterhouse licence to be refused forthwith.**

(1) Where—

- (a) a local authority receive an application for the grant or renewal of a slaughterhouse licence in respect of any premises, being an application to which this section applies, and
- (b) it appears to the authority that the proposed slaughterhall forms part of a building another part of which, being a part within the curtilage of those premises, is, or is proposed to be, used or adopted for use as a dwelling,

then, subject to section 6 below, the authority shall refuse the application forthwith unless they are satisfied that, if the licence is granted or renewed, no part of that building within the curtilage of those premises will be used as a dwelling at any time while the licence is in force.

(2) This section applies to any application—

- (a) for the grant of a new slaughterhouse licence; or
- (b) for the grant or renewal of a slaughterhouse licence in respect of premises—
  - (i) in respect of which a new slaughterhouse licence has been granted since 1st August 1958; or
  - (ii) in the case of which a holder of a slaughterhouse licence in respect of those premises has been convicted of an offence under section 11(1) below.

(3) In subsection (2) above “new”, in relation to a slaughterhouse licence, means in respect of premises in respect of which such a licence was not in force at, or at any time less than 12 months before, the date when the application for the licence was made.

### **4 Knacker's yard licences and applications for such licences.**

(1) Where a local authority receive from the occupier of, or a person proposing to occupy, any premises an application for the grant or renewal of a licence authorising him to occupy those premises as a knacker's yard, then, subject to subsections (3) and (4) below, the authority may grant or, as the case may be, renew the licence.

(2) Without prejudice to subsection (1) above and subject to section 6 below, a local authority may refuse to grant or, as the case may be, renew a knacker's yard licence in respect of any premises if they are not satisfied that the requirements relating to knackers' yards—

- (a) of regulations under [F<sup>3</sup>section 16 of the Food Safety Act 1990], or
- (b) of byelaws, if any, made by the authority under section 12 below,

are complied with in respect of those premises, or will be complied with before the date on which the licence or renewed licence comes into force.

(3) Subject to section 6 below, a local authority shall refuse to grant or, as the case may be, renew a knacker's yard licence in respect of any premises unless they are satisfied that the requirements relating to knackers' yards of construction regulations under section 38 below are complied with in respect of those premises, or will be complied with before the date on which the licence or renewed licence comes into force.

(4) A local authority shall not grant or renew a knacker's yard licence until an officer of the authority has inspected the premises named in the application and has made a report on those premises.

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- (5) A local authority may require a person who applies for the grant or renewal of a knacker's yard licence to give to them, before his application is considered, information as to any other licence in respect of a slaughterhouse or knacker's yard which he holds or has held, either in their district or in the district of another local authority; and if an applicant who is so required gives the authority any information which is false in a material respect, he shall be guilty of an offence.

#### **Textual Amendments**

**F3** Words substituted by virtue of [Food Safety Act 1990 \(c. 16, SIF 53:1, 2\)](#), s. 59(1), [Sch. 3 para. 18\(b\)](#)

### **5 Notification of refusal of licence.**

- (1) If a local authority refuse to grant or renew a licence, they shall forthwith give notice to the applicant of their decision in the matter, and a statement of the grounds on which that decision was based shall—
- (a) in the case of a refusal of a slaughterhouse licence under section 3 above, be included in the notice;
  - (b) in any other case, if so required by the applicant within 14 days from the date of the decision, be given to him by the authority not later than 48 hours after they receive the requirement.
- (2) Every notice under subsection (1) above shall state the right of appeal to a magistrates' court for which provision is made by section 6(1) below and the time within which such an appeal may be brought.
- (3) For the purposes of this section and sections 6 and 7 below, a refusal by a local authority—
- (a) to grant a licence with an authorisation in respect of horses under section 1(4) above, or
  - (b) to renew a licence with such an authorisation,
- shall be treated as a refusal to grant or, as the case may be, as a refusal to renew a licence.

### **6 Appeals against refusal of licence.**

- (1) A person aggrieved by the refusal of a local authority to grant or renew a licence may appeal to a magistrates' court, and that court may—
- (a) in the case of a refusal of a slaughterhouse licence under section 3 above, if satisfied that the authority acted unreasonably in refusing the application on the grounds stated in the notice, declare the refusal to be of no effect;
  - (b) in any other case, vary or reverse the authority's decision.
- (2) The procedure on an appeal to a magistrates' court under subsection (1) above shall be by way of complaint for an order, and [<sup>F4</sup>the Magistrates' Courts Act 1980] shall apply to the proceedings.
- (3) The time within which such an appeal may be brought shall be 21 days from the date on which notice of the authority's refusal was served upon the person desiring to appeal, and for the purpose of this subsection the making of the complaint shall be deemed to be the bringing of the appeal.

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- (4) A person aggrieved by an order, determination or other decision of a magistrates' court under subsection (1) above may appeal to the Crown Court.

#### Textual Amendments

**F4** Words substituted by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), s. 154, [Sch. 7 para. 124](#)

### **7 Right to continue to use premises pending appeal.**

Where a decision of a local authority refusing a licence, or a decision of a magistrates' court on appeal against such a decision, makes it unlawful for a person to use any premises for a purpose for which he or his immediate predecessor had been lawfully using them at the date when the decision of the authority was given, he may continue to use them for that purpose until the time for appealing has expired and, if an appeal is lodged, until the appeal is finally disposed of or abandoned or has failed for want of prosecution.

### **8 Effect of court's decision.**

Where on an appeal under section 6 above a court declares a refusal of a slaughterhouse licence under section 3 above to be of no effect, or varies or reverses any other decision of a local authority, it shall be the duty of the authority to give effect to the order of the court.

### **9 Duration of licences.**

A licence shall remain in force for such period not exceeding 13 months as may be fixed by the local authority, but may from time to time be renewed by them for a period not exceeding 13 months at any one time.

### **10 Temporary continuance of licence on death.**

Where a person who holds a licence dies, the licence shall, unless previously cancelled, enure for the benefit of his personal representative, or of his widow or any other member of his family, until the expiration of two months from his death, or until the expiration of such longer period as the local authority may allow.

**Status:**

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