



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.

[^{F1}(1) It shall be an offence—

- (a) for the occupier of any premises to use them as ^{F2}. . . 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 ^{F2}. . . a knacker's yard, or
 - (b) for any person other than the occupier to use any premises as a ^{F2}. . . 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 ^{F2}. . . 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.]

Textual Amendments

- F1** [S. 1](#) repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), [regs. 1, 54\(1\)\(a\)](#)

Status: Point in time view as at 28/09/2005.

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 09 June 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)

F2 Words in s. 1(1)(a)(b)(3) repealed (11.9.1995) by [S.I. 1996/2235](#), arts. 2, 11, [Sch.](#)

F32

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Textual Amendments
F3 s. 2 repealed (11.09.1996) by [S. I. 1996/2235](#), art. 11, [Sch](#)

F43

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Textual Amendments
F4 S. 3 repealed (11.09.1996) by [S.I. 1996/2235](#), art. 11, [Sch.](#)

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

- [^{F5}(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 [^{F6}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 ^{F7} . . . 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.
- (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 [^{F8}which he has held] in respect of a slaughterhouse or [^{F9}which he holds or has held in respect of a knacker's yard], either in their district or in the district of another local authority [^{F8}, or as to any slaughterhouse licence which he holds or has held]; 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.

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[^{F10}(6) In subsection (5) above, “slaughterhouse licence” means a licence issued under regulations made by virtue of section 19(1)(b) of the Food Safety Act 1990 ^{F11} for the use of any premises as a slaughterhouse.]]

Textual Amendments

- F5** S. 4 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), regs. 1, **54(1)(a)**
- F6** Words substituted by virtue of [Food Safety Act 1990 \(c. 16, SIF 53:1, 2\)](#), s. 59(1), **Sch. 3 para. 18(b)**
- F7** Words in s. 4(3) repealed (1.4.1995) by [S. I. 1995/731](#), reg. 28(2), **Sch. 14**, para. 2(2)
- F8** Words inserted in s. 4(5) (11.9.1996) by [S.I. 1996/2235](#), **art. 5(1)(a)(c)**
- F9** Words in s. 4(5) substituted (11.9.1996) by [S.I. 1996/2235](#), **art. 5(1)(b)**
- F10** S. 4(6) inserted (11.9.1996) by [S.I. 1996/2235](#), **art. 5(2)**
- F11** 1990 c. 16.

5 Notification of refusal of licence.

- [^{F12}(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 ^{F13}. . .if so required by the application 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.]

Textual Amendments

- F12** S. 5 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), regs. 1, **54(1)(a)**
- F13** In s. 5(1) words from the beginning of paragraph (a) to “case,” in paragraph (b) repealed (11.9.1996) by [S. I. 1996/2235](#), **art. 11**, **Sch.**

6 Appeals against refusal of licence.

- [^{F14}(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 ^{F15}. . .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 [^{F16}the Magistrates' Courts Act 1980] shall apply to the proceedings.

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- (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.
- (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

- F14** S. 6 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), regs. 1, [54\(1\)\(a\)](#)
- F15** In s. 6(1) words from the beginning of paragraph (a) to "case," in paragraph (b) repealed (11.9.1996) by [S. I. 1996/2235](#), art. 11, [Sch.](#)
- F16** 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.

[^{F17}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.]

Textual Amendments

- F17** S. 7 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), [regs. 1, 54\(1\)\(a\)](#)

8 Effect of court's decision.

[^{F18}Where on an appeal under section 6 above a court [^{F19}declares a refusal of a slaughterhouse licence under section 3 above to be of no effect, or] varies or reverses any [^{F19}other] decision of a local authority, it shall be the duty of the authority to give effect to the order of the court.]

Textual Amendments

- F18** S. 9 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), [regs. 1, 54\(1\)\(a\)](#)
- F19** Words in s. 8 repealed (E.W.) (11.9.1996) by [S. I. 1996/2235](#), art. 11, [Sch.](#)

9 Duration of licences.

[^{F20}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.]

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Textual Amendments

F20 S. 9 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), **regs. 1, 54(1)(a)**

10 Temporary continuance of licence on death.

[^{F21}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.]

Textual Amendments

F21 S. 10 repealed (E.) (28.9.2005) by [Animal By-Products Regulations 2005 \(S.I. 2005/2347\)](#), **regs. 1, 54(1)(a)**

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