

Status: Point in time view as at 01/02/1991. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: Slaughterhouses Act 1974, Cross Heading: Enforcement and legal proceedings is up to date with all changes known to be in force on or before 11 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)



Slaughterhouses Act 1974

1974 CHAPTER 3

PART II

SLAUGHTER OF ANIMALS

Enforcement and legal proceedings

41 Execution and enforcement Part II.

It shall be the duty of every local authority to execute and enforce in their district the provisions of this Part of this Act and of any regulations made under it.

VALID FROM 27/08/1991

[41A] ^{F1}Codes of practice.

- (1) The Minister may from time to time, after consultation with such organisations as appear to him to represent the interests concerned—
 - (a) prepare and issue codes of practice for the purpose of providing practical guidance in respect of any provision of this Part of this Act or regulations under it; and
 - (b) revise any such code by revoking, varying, amending or adding to the provisions of the code.
- (2) A code prepared in pursuance of this section and any alterations proposed to be made on a revision of such a code shall be laid before both Houses of Parliament, and the Minister shall not issue the code or revised code, as the case may be, until after the end of the period of 40 days beginning with the day on which the code or the proposed alterations were so laid.
- (3) If, within the period mentioned in subsection (2) above, either House resolves that the code be not issued or the proposed alterations be not made, the Minister shall not

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issue the code or revised code (without prejudice to his power under that subsection to lay further codes or proposed alterations before Parliament).

- (4) For the purposes of subsection (2) above—
- (a) where a code or proposed alterations are laid before each House of Parliament on different days, the later day shall be taken to be the day on which the code or the proposed alterations, as the case may be, were laid before both Houses; and
 - (b) in reckoning any period of 40 days, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.
- (5) The Minister shall cause any code issued or revised under this section to be printed and distributed, and may make such arrangements as he thinks fit for its distribution, including causing copies of it to be put on sale to the public at such reasonable price as the Minister may determine.
- (6) A failure on the part of any person to follow any guidance contained in a code issued under this section shall not of itself render that person liable to proceedings of any kind.
- (7) If, in proceedings against any person for an offence consisting of the contravention of any provision of this Part of this Act or of regulations under it, it is shown that, at any material time, he failed to follow any guidance contained in a code issued under this section, being guidance which was relevant to the provision concerned, that failure may be relied on by the prosecution as tending to establish his guilt.]

Textual Amendments

- F1** [S. 41A](#) inserted (27.8.1991) by Welfare of Animals at [Slaughter Act 1991 \(c. 30, SIF 112\)](#), **ss. 5(1), 7(2)**.

42 Powers of entry.

- (1) Subject to subsection (3) below, at any time when business is, or appears to be, in progress, or is usually carried on, in a slaughterhouse or knacker's yard, any officer of the Minister, or an officer appointed for the purpose by the local authority within whose district the slaughterhouse or knacker's yard is situate, may enter it for the purpose of ascertaining whether there is or has been any contravention of this Part of this Act or of any regulations made under it.
- (2) Any person who obstructs a person in the exercise of his powers under subsection (1) above shall be guilty of an offence and liable to a fine not exceeding [^{F2}level 1 on the standard scale].
- (3) Subsection (1) above shall not authorise entry into a slaughterhouse or knacker's yard which for the time being is, or is comprised in, an infected place within the meaning of the [^{F3}Animal Health Act 1981].

Textual Amendments

- F2** Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46**
- F3** Words substituted by [Animal Health Act 1981 \(c. 22, SIF 4:4\)](#), s. 96, **Sch. 5 para. 11(e)**

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Modifications etc. (not altering text)

- C1** S. 42(1) power to transfer functions conferred (3.1.1995) by 1994 c. 40, ss. 31, 82(2), Sch. 9, paras. 2(1)(f), 4

43 Prosecution and punishment of offences.

- (1) All offences under this Part of this Act and regulations made under it shall be punishable on summary conviction.
- (2) A person guilty of an offence under section 36, 37, 39 or 40 above shall be liable to a fine not exceeding [^{F4}level 3 on the standard scale] or to imprisonment for a term not exceeding three months or to both.
- (3) Where a person convicted of any such offence as is mentioned in subsection (2) above (including a person so convicted by virtue of [^{F5}section 44 of the Magistrates' Courts Act 1980]) is the holder of a licence under section 1 above in respect of the premises where the offence was committed, the court may, in addition to any other punishment, cancel the licence.

Textual Amendments

- F4** Words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), ss. 38, 46
- F5** Words substituted by Magistrates' Courts Act 1980 (c. 43, SIF 82), s. 154, Sch. 7 para. 125

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