



# Slaughterhouses Act 1974

## 1974 CHAPTER 3

### PART II **E+W**

#### SLAUGHTER OF ANIMALS

##### *Provisions as to slaughter*

### **38 Regulations for securing humane conditions of slaughter in slaughterhouses and knackers' yards. **E+W****

- (1) The Minister may, after consultation with such organisations as appear to him to represent the interests concerned, make such regulations as appear to him to be expedient for securing humane conditions and practices in connection with the slaughter, in slaughterhouses and knackers' yards, of [<sup>F1</sup>horses, cattle, sheep, swine or goats]; and such regulations may in particular—
  - (a) prescribe requirements as to the construction, lay-out and equipment of premises used as slaughterhouses or knackers' yards;
  - (b) prescribe conditions to be observed in connection with the confinement and treatment of [<sup>F1</sup>horses, cattle, sheep, swine or goats] while awaiting slaughter in such premises, and in connection with the slaughter there of such animals.
- (2) Regulations under this section may make different provision in relation to different kinds of animals and in relation to premises used for different purposes in connection with the slaughter of animals and may—
  - (a) so far as they are made for the purposes mentioned in subsection (1)(a) above, be made to apply subject to exceptions or modifications in relation to premises constructed or adapted for use before the date on which the regulations come into force;
  - (b) in any case be made without applying, or applying subject to exceptions or modifications, in relation to slaughterhouses forming part of an imported animals' wharf or approved landing place for the purposes of the [<sup>F2</sup>Animal Health Act 1981], or applying (with or without exceptions or modifications)

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only in relation to any such slaughterhouse of that description as may be specified in the regulations;

- (c) provide, subject to such limitations and safeguards, if any, as may be specified in the regulations, for the appropriate authority to grant in relation to particular premises, either unconditionally or subject to conditions, exemption from the operation of specific provisions of those regulations where it appears to the authority that compliance with those provisions cannot for the time being reasonably be required with respect to the premises or any activities carried on there;
- (d) provide for the regulations to come into force on different days fixed by, or by an order to be made by statutory instrument under, the regulations in respect of different classes or descriptions of premises and different areas, and for different provisions to come into force on different days;

and in paragraph (c) above “appropriate authority”, except in relation to a slaughterhouse provided by a local authority, means a local authority, and in relation to a slaughterhouse so provided means the Minister.

- (3) Regulations under this section may make provision corresponding (with or without modifications) with any of the provisions in force immediately before the commencement of the <sup>M1</sup>Slaughter of Animals (Amendment) Act 1954, under section 5(1) of the <sup>M2</sup>Protection of Animals Act 1911, section 4 of the <sup>M3</sup>Slaughter of Animals Act 1933 or section 1 of the <sup>M4</sup>Slaughter of Animals (Amendment) Act 1951.

<sup>F3</sup>(4) . . . . .

- (5) Regulations under this section may prescribe penalties for offences against the regulations, not exceeding a fine of [<sup>F4</sup>level 3 on the standard scale] or imprisonment for a term of three months or both, and may impose on the occupiers of premises to which the regulations apply responsibility for compliance with any of the provisions of the regulations.

[<sup>F5</sup>(5A) Regulations under this section may require occupiers of premises used as slaughterhouses or knackers’ yards to secure that the provisions of regulations under this section are complied with on the premises.]

- (6) Where a person convicted of any offence against regulations under this section (including a person so convicted by virtue of [<sup>F6</sup>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.

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#### Subordinate Legislation Made

**P1** S. 38: power exercised by S.I. 1983/688, 689, 1984/1310, 1311, 1990/1242

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#### Textual Amendments

- F1** Words in s. 38(1) substituted (1.4.1995) by S.I. 1995/731, reg. 28(2), **Sch. 14**, para. 2(4)
- F2** Words substituted by **Animal Health Act 1981** (c. 22, SIF 4:4), s. 96, **Sch. 5 para. 11(c)**
- F3** S. 38(4) repealed (1.4.1995) by S. I. 1995/731, reg. 28(1), **Sch. 13**
- F4** Words substituted by virtue of **Criminal Justice Act 1982** (c. 48, SIF 39:1), **ss. 38, 46**
- F5** S. 38(5A) inserted (27.8.1991) by Welfare of Animals at **Slaughter Act 1991** (c. 30, SIF 112), **ss. 1, 7(2)**.
- F6** Words substituted by **Magistrates' Courts Act 1980** (c. 43, SIF 82), s. 154, **Sch. 7 para. 125**

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

**C1** S. 38 power to transfer functions conferred (3.1.1995) by 1994 c. 40, ss. 31, 82(2), **Sch. 9**, para. 2(1)(b), 4

**Marginal Citations**

**M1** 1954 c. 59.

**M2** 1911 c. 27.

**M3** 1933 c. 39.

**M4** 1951 c. 49.

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**Changes and effects yet to be applied to :**

- s. 38(5) words repealed by [2003 c. 44 Sch. 27 para. 4Sch. 37 Pt. 9](#)

**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. 4(3)(a) excluded by SI 1975/1023 art. 4A(2) (as inserted) by [S.I. 2012/1957 art. 3](#)
- s. 4(3)(b) excluded by SI 1975/1023 art. 4A(3) (as inserted) by [S.I. 2012/1957 art. 3](#)
- s. 4(5A) inserted by [2003 c. 44 Sch. 32 para. 158](#)