



Slaughter of Animals (Scotland) Act 1980

1980 CHAPTER 13

An Act to consolidate certain enactments relating to slaughterhouses, knackers' yards and the slaughter of animals in Scotland. [20th March 1980]

Commencement Information

II Act wholly in force at Royal Assent

1 Power of local authorities to provide public slaughterhouses.

Subject to sections 3 and 8 of this Act, a local authority may provide and, if they think fit, operate a slaughterhouse and may dispose of any slaughterhouse belonging to them by feu, sale, lease or excambion; and any slaughterhouse so disposed of shall be deemed to be disposed of under Part VI of the ^{M1}Local Government (Scotland) Act 1973.

Marginal Citations

M1 1973 c. 65.

2 Acquisition of land for purposes relating to slaughterhouses.

- (1) A local authority may be authorised by the Secretary of State to purchase compulsorily any land, whether situated within or outside its area, for the purpose of any of their functions under section 1, 3, 4, 5 or 8 of this Act.
- (2) In relation to the compulsory purchase of land under this section, the ^{M2}Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 shall apply as if subsection (1) above had been in force immediately before the commencement of that Act.

Marginal Citations

M2 1947 c. 42.

Status: Point in time view as at 25/09/1991.

Changes to legislation: There are currently no known outstanding effects for the Slaughter of Animals (Scotland) Act 1980. (See end of Document for details)

3 Management of public slaughterhouses.

- (1) A local authority by whom a slaughterhouse has been provided under section 1 of this Act or under any other enactment—
 - (a) may make charges in respect of the use of the slaughterhouse and in respect of any services provided by them in connection therewith; and
 - (b) may provide plant or apparatus for disposing of or treating waste matter or refuse, or processing by-products resulting from the slaughter of animals in such a slaughterhouse.
- (2) In fixing or varying any such charges as aforesaid a local authority shall consult with such persons or organisations as appear to them to be representative of interests substantially affected by such charges.

4 Registration in respect of private slaughterhouses.

- (1) Subject to the provisions of this section and section 5 of this Act, no person other than a local authority shall use any premises as a slaughterhouse for the slaughter of any kind of animal unless he is registered in respect of the premises for that purpose by the local authority.
- (2) Any person who contravenes the provisions of subsection (1) above shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding [^{F1}level 3 on the standard scale] or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.
- (3) An application for registration under this section in respect of any premises shall be made by the person who proposes to use the premises; and in the case of an application in respect of premises not yet erected, or of premises to be reconstructed, shall be accompanied by plans showing the proposed works.
- (4) Subject to the provisions of this section and section 5 of this Act the local authority shall, on an application for registration under this section being duly made by a person in respect of any premises, register that person in respect of the premises; and they shall, upon so registering him, issue to him a certificate to that effect.
- (5) A local authority may for the protection of the public health prohibit the slaughter, on any premises in respect of which a person is to be registered in pursuance of this section, of any kind of animal other than that specified in the certificate, relating to those premises, to be issued under subsection (4) above.

Textual Amendments

- F1** Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289F**, 289G

5 Refusal and cancellation of registration in respect of private slaughterhouses.

- (1) Subject to the provisions of this section, if it appears to the local authority in the case of—
 - (a) an application for registration under section 4 of this Act that in connection with the premises specified in the application;

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- (b) a registration under that section that in connection with the premises specified, or business carried on in the premises specified, in the registration, the requirements of any enactment relating to slaughterhouses are not, and are not likely within a reasonable time to be, complied with, the authority shall refuse or as the case may be cancel the registration.
- (2) A local authority may for the protection of the public health vary any registration under section 4 of this Act by prohibiting the slaughter on any premises to which the registration relates of any kind of animal other than that which may be specified by the authority.
- (3) If the local authority refuse, cancel or vary a registration they shall forthwith give the applicant or the person registered in respect of the premises notice of their decision in the matter; and any such notice shall state the grounds on which the decision is based and the time within which an appeal may be brought in accordance with the provisions of subsection (5) of this section.
- (4) An application for registration shall, if not already determined by the local authority, be deemed to have been refused by the authority at the expiry of three months from the date upon which the application was made.
- (5) A person aggrieved by a local authority's decision under this section to refuse, cancel or vary any registration under section 4 of this Act may appeal to the sheriff; and any such appeal shall be disposed of in a summary manner and shall be made within one month from the date on which notice of the said decision was served upon the person desiring to appeal or from the date on which a refusal is, under subsection (4) above, deemed to have been made.
- (6) For the purposes of subsection (5) above, any—
- (a) prohibition under subsection (5) of section 4 of this Act;
 - (b) refusal of express authorisation under subsection (1) of section 7 of this Act,
- shall be treated as a refusal of a registration under the said section 4.

6 Licensing of knackers' yards.

- (1) A person carrying on the business of slaughterman or knacker shall not use any premises as a knacker's yard without a licence from the local authority; and if he does he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding [^{F2}level 1 on the standard scale] and the fact that animals (other than asses or mules) have been taken into unlicensed premises shall be *prima facie* evidence that an offence under this section has been committed.
- (2) A licence under this section shall expire on such day in every year as the local authority fix and when a licence is first granted shall expire on the day so fixed which secondly occurs after the grant of the licence; and a fee not exceeding twenty-five pence may be charged for the licence or any renewal thereof.
- (3) Not less than twenty-one days before a new licence for any premises is granted under this section, notice of the intention to apply for it shall be advertised as provided in section 32(2) of the ^{M3}Public Health (Scotland) Act 1897 by the local authority in whose area the premises are situated; and any person interested may show cause against the grant or renewal of the licence.

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- (4) An objection shall not be entertained to the renewal of a licence under this section unless seven days previous notice of the objection has been served on the applicant: Provided that, on an objection being made of which notice has not been given, the local authority may, if they think it just to do so, direct notice thereof to be served on the applicant, adjourn the question of the renewal to a future date, require the attendance of the applicant on that day, then hear the case and consider the objection as if the said notice had been duly given.
- (5) For the purposes of this section a licence shall be deemed to be renewed where a further licence is granted in immediate succession to a prior licence for the same premises.
- (6) Where any person has been refused a renewal of a licence under this section, such person may appeal to the Secretary of State against such refusal; and the decision of the Secretary of State shall be final.

Textual Amendments

F2 Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), s. 289G

Marginal Citations

M3 1897 c. 38.

7 Further provisions in relation to registration in respect of slaughterhouses and to licensing of knackers' yards.

- (1) In relation to the use of any premises for or in connection with the slaughter of horses—
- a licence granted under section 6 of this Act;
 - a registration under section 4 of this Act,
- shall be of no effect unless expressly authorising the use of the premises for that purpose.
- (2) 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 under the said section 6; or
 - there may, as the case may be, be separate registration under the said section 4, authorising the use of those premises for those purposes respectively.
- (3) A licence under the said section 6 shall not be granted in respect of any premises unless the local authority are satisfied that the requirements of any regulations in force under sections 9 and 20 of this Act with respect to the construction, lay-out and equipment of premises are complied with or will be complied with before the date on which the licence or renewed licence comes into force in respect of those premises; but nothing in this subsection shall be taken as affecting so much of the said section 6 as confers a right of appeal on a person aggrieved by the refusal of a local authority to renew a licence under that section.

8 Byelaws as to slaughterhouses.

- (1) A local authority may ^{F3} make byelaws for securing that slaughterhouses are kept in a clean and sanitary condition and are properly managed and conducted.

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- (2) The Secretary of State shall be the confirming authority as respects byelaws made under subsection (1) above.
- (3) If and in so far as a byelaw made under this section is inconsistent with any regulations relating to slaughterhouses or the slaughter of animals therein, the regulations shall prevail.
- (4) The repeal by this Act of section 18(1) of the ^{M4}Slaughterhouses Act 1954 (savings) shall not invalidate any byelaw made under any enactment repealed by that Act; and any such byelaw in force at the commencement of this Act shall have effect as if made under this section, and may be amended, varied, revoked or enforced accordingly.

Textual Amendments

- F3** Words repealed by [Local Government \(Miscellaneous Provisions\) \(Scotland\) Act 1981 \(c. 23, SIF 81:2\)](#), ss. 25, 41, Sch. 2 para. 37, **Sch. 4**

Marginal Citations

- M4** [1954 c. 42.](#)

9 Securing humane conditions in slaughterhouses and knackers' yards.

- (1) The Secretary of State may make such regulations as appear to him to be expedient for securing humane conditions and practices in connection with the slaughter of animals at slaughterhouses and knackers' yards and for securing the proper management of such premises for those purposes; and such regulations may in particular prescribe—
 - (a) requirements as to the construction, lay-out and equipment of premises used as slaughterhouses or knackers' yards;
 - (b) conditions to be observed in connection with the confinement and treatment of animals while awaiting slaughter in such premises, and in connection with the slaughter of animals therein.
- (2) Regulations made 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, so far as they are made for the purposes mentioned in paragraph (a) of subsection (1) 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.
- (3) Regulations made under this section may prescribe penalties for offences against the regulations, not exceeding those specified in section 18 of this Act, and may impose on the occupiers of premises to which the regulations apply responsibility for compliance with any of the provisions of the regulations.
- [^{F4}(4) 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.]

Textual Amendments

- F4** [S. 9\(4\)](#) inserted (27.8.1991) by [Welfare of Animals at Slaughter Act 1991 \(c. 30, SIF 112\)](#), **ss.1, 7(2)**

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Modifications etc. (not altering text)

C1 S. 9 power to transfer functions conferred (3.1.1995) by 1994 c. 40, s. 31, Sch. 9, paras. 3(1)(a), 4

10 Method of slaughtering animals in slaughterhouses and knackers' yards.

- (1) Subject to the provisions of this section and section 11 of this Act, no animal shall, in a slaughterhouse or knacker's yard, be slaughtered otherwise than instantaneously by means of a mechanically-operated instrument in proper repair unless—
- (a) by stunning, effected by means of a mechanically-operated instrument or an instrument for stunning by means of electricity, being in either case an instrument in proper repair, it is instantaneously rendered insensible to pain until death supervenes; or
 - (b) by such other means as may be prescribed, it is rendered insensible to pain until death supervenes, and there are complied with such conditions (if any) as respects the use of those means as may be prescribed.
- (2) In subsection (1) above "prescribed" means prescribed by regulations made by the Secretary of State after consultation with such organisations as appear to him to represent the interests concerned.
- (3) Regulations under this section may make—
- (a) provision as respects all animals or any class of animals;
 - (b) different provision as respects different classes of animals and as respects different classes of slaughterhouses or knackers' yards; and
 - (c) such incidental or consequential provisions as may appear to the Secretary of State to be necessary or expedient for the purposes of the regulations, including, in particular, in a case where a condition as respects the use of any means of rendering an animal insensible to pain consists in the giving of approval to any matter by a local authority, provision for securing a right of appeal to the sheriff against a withholding or withdrawal of approval.

Modifications etc. (not altering text)

C2 S. 10 power to transfer functions conferred (3.1.1995) by 1994 c. 40, s. 31, Sch. 9, paras. 3(1)(b), 4

11 Saving for Jewish and Muslim method of slaughter.

Section 10 of this Act shall not apply where an animal is slaughtered for the food of—

- (a) Jews by a Jew appropriately licensed by the Chief Rabbi and holding a licence granted under section 15 of this Act by the local authority; or
- (b) Muslims by a Muslim holding a licence granted under section 15 of this Act by the local authority,

if such slaughter is carried out according to the Jewish or the Muslim method of slaughter, as the case may be, and no unnecessary suffering is inflicted.

12 Method of slaughtering swine otherwise than in slaughterhouse or knacker's yard.

No swine exceeding twelve weeks in age shall be slaughtered in any place other than a slaughterhouse or knacker's yard otherwise than instantaneously by means of

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a mechanically-operated instrument in proper repair unless by stunning, effected by means of a mechanically-operated instrument or an instrument for stunning by means of electricity, being in either case an instrument in proper repair, it is instantaneously rendered insensible to pain until death supervenes:

Provided that this section shall not apply if the swine is, at any laboratory, research station or similar institution, slaughtered for the purposes of—

- (i) the diagnosis of disease; or
- (ii) research in connection with the arts of veterinary surgery or medicine.

13 Power of local authority to enter premises.

- (1) Subject to the provisions of this section, any officer of a local authority shall, if he is authorised for the purpose, have a right, on producing if so required some duly authenticated document showing his authority, to enter any premises at all reasonable hours—
 - (a) for the purpose of ascertaining whether there is or has been on, or in connection with, the premises any contravention of the provisions of section 4, or this section, of this Act or of any byelaws made under section 8 of this Act; and
 - (b) generally for the purpose of the performance by the authority of their functions under sections 4 and 5 of this Act or under such byelaws.
- (2) If, by written evidence on oath, a sheriff or justice of the peace is satisfied that there is reasonable ground for entry into any premises for any such purpose as is mentioned in subsection (1) above and that—
 - (a) admission to the premises has been refused;
 - (b) such refusal is apprehended;
 - (c) an application for admission would defeat the object of the entry;
 - (d) the premises are unoccupied;
 - (e) the occupier is temporarily absent; or
 - (f) the case is one of urgency,

the sheriff, or justice of the peace as the case may be, may grant a warrant, which shall continue in force for a period of one month, authorising the local authority by any authorised officer to enter the premises, if need be by force:

Provided that such warrant shall not be granted on any ground mentioned in paragraphs (a) to (c) of this subsection unless the sheriff, or justice of the peace as the case may be, is satisfied either that notice of the intention to apply for a warrant has been given to the occupier or that the giving of such notice would defeat the object of the entry.

- (3) An authorised officer entering any premises by virtue of this section, or of a warrant issued thereunder, may take with him such other persons as may be necessary; and on leaving any unoccupied premises which he has entered by virtue of such a warrant he shall leave them as effectively secured against unauthorised entry as he found them.
- (4) Nothing in this section or in section 14 of this Act shall authorise any person, except with the permission of the local authority under the [F5Animal Health Act 1981], to enter any premises which for the time being are, or are comprised in, an infected place within the meaning of that Act.

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Textual Amendments

F5 Words substituted by [Animal Health Act 1981 \(c. 22, SIF 4:4\)](#), s. 96, [Sch. 5 para. 12\(a\)](#)

14 Further powers of entry.

- (1) Subject to section 13(4) of this Act, an empowered officer shall have a right to enter any slaughterhouse or knackers' yard, at any time when business is or appears to be in progress or is usually carried on therein, for the purpose of ascertaining whether there is or has been any contravention of the provisions of section 10, 11 or 15 of this Act or of any regulations made under section 9 of, or by virtue of section 10(1) of, this Act.
- (2) Any person who refuses to permit an empowered officer to enter any premises which the officer is entitled to enter under subsection (1) above or who obstructs or impedes the officer in the exercise of the officer's duties under that subsection, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding [^{F6}level 1 on the standard scale].
- (3) In subsections (1) and (2) above, "empowered officer" means—
 - (a) any constable;
 - (b) any officer of the Secretary of State;
 - (c) any person authorised in writing, or appointed as a veterinary surgeon, by the local authority within whose area the slaughterhouse or knacker's yard is situated.
- (4) The local authority shall have a right to enter any knacker's yard at any hour between nine o'clock in the morning and six o'clock in the evening, or at any hour when business is in progress or is usually carried on therein, for the purpose of examining whether there is any contravention of—
 - (i) section 6 of this Act;
 - (ii) the ^{M5}Public Health (Scotland) Act 1897; or
 - (iii) any byelaw made under that Act.

Textual Amendments

F6 Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), [ss. 289F, 289G](#)

Modifications etc. (not altering text)

C3 [S. 14](#) power to transfer functions conferred (3.1.1995) by [1994 c. 40, s. 31](#), [Sch. 9, paras. 3\(1\)\(c\), 4](#)

Marginal Citations

M5 [1897 c. 38](#).

15 Licensing of slaughtermen and knackers.

- (1) No animal shall be slaughtered or stunned in a slaughterhouse or knacker's yard by any person except in accordance with a licence granted by a local authority and in force under this section:

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Provided that this subsection shall not apply with respect to the slaughter, under the [F7Animal Health Act 1981], of an animal by an officer of, or person employed by, the Minister of Agriculture, Fisheries and Food or the Secretary of State.

- (2) A licence under this section shall not be granted except to a male person of the age of eighteen years or upwards who is, in the opinion of the local authority, a fit and proper person to hold such a licence.
- (3) A licence under this section—
 - (a) shall be valid only in the area of the local authority granting the licence and for a period not exceeding twelve months;
 - (b) may be renewed from time to time at the discretion of the local authority;
 - (c) may be suspended at any time by the local authority for such period as they may determine; and
 - (d) may be revoked by the local authority where they are satisfied that the person is no longer a fit and proper person to hold such a licence.
- (4) Any person aggrieved by the refusal of the local authority to grant a licence under this section or by the suspension or revocation by the local authority of such a licence may appeal to the sheriff against such a refusal, suspension, or revocation, within one month of the intimation thereof, and the decision of the sheriff shall be final.
- (5) A fee may be charged by the local authority for each such licence and a fee for every renewal thereof.
- (6) In any application for a licence under this section the person making the application shall state whether—
 - (a) he holds any such licence in any area or areas other than that to which his application relates and the names of any such areas;
 - (b) he has been refused, or has had suspended or revoked, any such licence in any other area and, if so, the name of that area; and
 - (c) he has any similar application pending in any other area and, if so, the name of that area.

Textual Amendments

F7 Words substituted by [Animal Health Act 1981 \(c. 22, SIF 4:4\)](#), s. 96, [Sch. 5 para. 12\(a\)](#)

Modifications etc. (not altering text)

C4 [S. 15](#) power to transfer functions conferred (3.1.1995) by [1994 c. 40](#), s. 31, [Sch. 9](#), paras. 3(1)(d), 4

16 Further provisions in relation to the licensing of slaughtermen and knackers.

- (1) Subject to the provisions of this section, any licence granted under section 15 of this Act shall specify—
 - (a) the kinds of animals which may be slaughtered or stunned by the holder of the licence; and
 - (b) the types of instrument which may be used by him for slaughtering or stunning any such animals,

and may, in such cases as may be prescribed by regulations under this section, be granted subject to a condition prohibiting the slaughter of any animal in pursuance of

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the licence except under the supervision of a person who is the holder of a licence, in force under the said section 15, which is not subject to a like condition.

- (2) In relation to the slaughter of animals by the Jewish method for the food of Jews or by the Muslim method for the food of Muslims, so much of subsection (1) above as requires a licence under the said section 15 to specify the matters referred to in paragraphs (a) and (b) of that subsection shall not apply.
- (3) The Secretary of State may make regulations for prescribing qualifications for holding licences, or licences of any class, under the said section 15 and for prohibiting the grant of such licences to persons not having the prescribed qualifications.
- (4) Without prejudice to the provisions of the said section 15, a local authority may refuse an application for the grant of a licence under that section, or revoke or suspend the operation of such a licence, if the applicant or holder has failed to comply with any condition of his licence granted by that or any other local authority under the said section 15, or has been convicted of an offence under—
 - (a) the ^{M6}Slaughter of Animals Acts 1933 ^{M7} to 1954 or—
 - (i) the ^{M8}Slaughter of Animals Act 1958 in so far as re-enacting (with or without modifications) provisions of the said Acts of 1933 to 1954; or
 - (ii) the ^{M9}Slaughterhouses Act 1974 in so far as re-enacting (with or without modifications) provisions of so much of the said Act of 1958 as is mentioned in subparagraph (i) of this paragraph;
 - (b) section 14 or 18 of this Act;
 - (c) the ^{M10}Protection of Animals Act 1911 or the ^{M11}Protection of Animals (Scotland) Act 1912;
 - (d) any regulations made under section 9 or 16 of this Act; or
 - (e) any order, made under [^{F8}paragraphs (a) and (b) of section 7(1), paragraphs (b) to (e) of section 8(1), section 25 and section 37(1) of the Animal Health Act 1981], regulating the transport of animals.

Textual Amendments

F8 Words substituted by [Animal Health Act 1981 \(c. 22, SIF 4:4\)](#), s. 96, [Sch. 5 para. 12\(b\)](#)

Modifications etc. (not altering text)

C5 [S. 16](#) power to transfer of functions conferred (3.1.1995) by [1994 c. 40](#), s. 31, [Sch. 9](#), paras. 3(1)(e), 4

Marginal Citations

M6 [1933 c. 39](#). [1953 c. 27](#).

M7 [1954 c. 59](#).

M8 [1958 c. 8](#).

M9 [1974 c. 3](#).

M10 [1911 c. 27](#).

M11 [1912 c. 14](#).

17 Employment of slaughtermen by local authority.

Any local authority who have provided or established a slaughterhouse may, if they think fit, employ persons to slaughter or stun animals in accordance with the provisions of section 10, 11 and 15 of this Act and may make such charges as they consider reasonable for the services of the persons so employed.

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18 Offences and penalties.

- (1) Subject to the provisions of this section, any person who slaughters or stuns, or attempts to slaughter or stun, any animal in contravention of section 10, 12 or 15 of this Act or who knowingly makes any false statement for the purposes of obtaining a licence under the said section 15 shall be guilty of an offence and liable on summary conviction to a fine not exceeding [^{F9}level 3 on the standard scale] or to imprisonment for a term not exceeding six months or to both.
- (2) A person shall not be guilty of an offence in respect of any such contravention as aforesaid if he proves that by reason of an accident or other emergency the contravention was necessary for preventing physical injury or suffering to any person or animal.
- (3) Where a person convicted of an offence in respect of any such contravention as aforesaid or of an offence against regulations made under section 9 of this Act is registered in respect of premises under section 4 of, or is the holder of a licence granted under section 6 of, this Act the court may, where such registration or licence relates to premises where the offence was committed, in addition to any other penalty cancel the registration or the licence as the case may be.

Textual Amendments

- F9** Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289F, 289G**

19 Enforcement.

- (1) It shall be the duty of every local authority to execute and enforce within their area the provisions of—
 - (i) sections 7, 10 to 12, 14 to 16 and 18; and
 - (ii) any regulations made under section 9 or 16 or by virtue of section 10, of this Act; but this subsection shall not be construed as authorising a local authority to institute proceedings for any offence.
- [^{F10}(1A) In particular, every local authority shall, for the purpose of securing the execution of the provisions mentioned in subsection (1) above (other than section 7), make arrangements for the supervision by persons having such qualifications as may be prescribed by regulations under section 9 of this Act of any premises in their area to which regulations under that section apply.
- (1B) Arrangements under subsection (1A) above shall comply with such directions as the Secretary of State may give from time to time.]
- (2) For the purposes of any regulations made under [^{F11}section 16 of the Food Safety Act 1990] (regulations as to food hygiene) in respect of any premises to which the provisions mentioned in subsection (1)(i) above apply, the provisions of [^{F11}section 32 of the said Act of 1990] (power to enter premises) shall apply in relation to an authorised officer of the Secretary of State as they apply in relation to an authorised officer of the local authority who are empowered to enforce those regulations so far as they apply to such premises.

Status: Point in time view as at 25/09/1991.

Changes to legislation: There are currently no known outstanding effects for the Slaughter of Animals (Scotland) Act 1980. (See end of Document for details)

Textual Amendments

- F10** S. 19(1A)(1B) inserted (27.8.1991) by Welfare of Animals at Slaughter Act 1991 (c. 30, SIF 112), ss. 4(2), 7(2)
- F11** Words substituted by Food Safety Act 1990 (c. 16, SIF 53:1, 2), s. 59(1), Sch. 3 para. 23

Modifications etc. (not altering text)

- C6** S. 19 power to transfer functions conferred (3.1.1995) 1994 c. 40, s. 31, Sch. 9, paras. 3(1)(f), 4

[^{F12}19A Codes of practice.

- (1) The Secretary of State 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—
 - (i) any of sections 9, 10 and 12 to 16 of this Act; or
 - (ii) regulations made under any of those sections; 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 Secretary of State 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 Secretary of State shall not 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 Secretary of State 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 Secretary of State 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—
 - (a) any of sections 9, 10 and 12 to 16 of this Act; or

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(b) regulations made under any of those sections;

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

F12 S. 19A inserted (27.8.1991) by Welfare of Animals at Slaughter Act 1991 (c. 30, SIF 112), ss. 5(2), 7(2)

20 Regulations.

Any power to make regulations under section 9, 10 or 16 of this Act shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

21 Defraying of certain expenses.

A local authority owning a slaughterhouse may, if they so determine, defray out of the funds from which such slaughterhouse is maintained any expenses incurred by them in the exercise of their powers under section 14, 15 or 17 of this Act.

22 Interpretation.

In this Act, unless the context otherwise requires—

“animal” means any description of cattle, sheep, goat, swine or horse;

“constable” has the same meaning as in the ^{M12}Police (Scotland) Act 1967;

“enactment” includes an enactment contained in a local Act and any order, regulation or other instrument having effect by virtue of an Act;

“grant”, in relation to a licence, includes renew or, as the case may be, renewal;

“horse” includes ass and mule;

^{F13}“knacker’s yard” means any premises used in connection with the business of slaughtering, flaying or cutting up animals the flesh of which is not intended for human consumption; and “knacker” means a person whose business it is to carry out such slaughtering, flaying or cutting up]

“local authority” means an islands or district council;

“premises”, except in section 6, means a building or any part thereof and any forecourts, yards and places of storage used in connection therewith; and in section 6 has the same meaning as in the ^{M13}Public Health (Scotland) Act 1897;

^{F14F15}“slaughterhouse” means a place for slaughtering animals, the flesh of which is intended for human consumption, and includes any place available in connection with such a place for the confinement of animals while awaiting slaughter there or keeping, or subjecting to any treatment or process, products of the slaughtering of animals there; and “slaughterman” means a person whose business it is to carry out such slaughtering]

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Textual Amendments

- F13** Definition substituted by [Food Safety Act 1990 \(c. 16, SIF 53:1, 2\)](#), s. 59(1), **Sch. 3 para. 24(a)**
F14 Definition substituted by [Food Safety Act 1990 \(c. 16, SIF 53:1, 2\)](#), s. 59(1), **Sch. 3 para. 24(b)**
F15 In s. 22: definition of "slaughterhouse" applied (25.9.1991) by [Agriculture and Forestry \(Financial Provisions\) Act 1991 \(c. 33, SIF 2:2\)](#), **ss. 2(11)**, 5(2)

Marginal Citations

- M12** [1967 c. 77](#).
M13 [1897 c. 38](#).

23 Consequential amendments.

The enactments specified in Schedule 1 to this Act shall have effect subject to the amendments there specified, being amendments consequential upon the provisions of this Act.

Modifications etc. (not altering text)

- C7** The text of s. 23 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

24 Transitional provisions, savings and repeals.

- (1) The transitional provisions and savings contained in Schedule 2 to this Act shall have effect.
- (2) Subject to the provisions of the said Schedule 2, the enactments specified in Schedule 3 to this Act are hereby repealed to the extent specified in the third column of the said Schedule 3.
- (3) Nothing in this Act shall be taken as prejudicing the operation of sections 16 and 17 of the ^{M14}Interpretation Act 1978 (which relate to the effect of repeals).

Marginal Citations

- M14** [1978 c. 30](#).

25 Citation and extent.

- (1) This Act may be cited as the Slaughter of Animals (Scotland) Act 1980.
- (2) This Act extends to Scotland only.

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Changes to legislation: There are currently no known outstanding effects for the Slaughter of Animals (Scotland) Act 1980. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 23.

CONSEQUENTIAL AMENDMENTS OF ENACTMENTS

Modifications etc. (not altering text)

C8 The text of Sch. 1 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

1 —In section 12(4) of the ^{M15}Foods and Drugs (Scotland) Act 1956, for paragraph (a) there shall be substituted the following paragraph—

“(a) in subsection (1) the expression— “animal” means cattle, sheep, goats, swine and horses; and in this definition “horses” includes asses and mules; “slaughterhouse” means any premises used for slaughtering animals the flesh of which is intended for sale for human consumption and includes any place other than premises used in connection therewith ; and”.

Marginal Citations

M15 1956 c. 30.

2 —In section 25(6) of the ^{M16}Agriculture Act 1957, for the words “Part II of the Slaughterhouses Act, 1954,” there shall be substituted the words “ section 1 of the Slaughter of Animals (Scotland) Act 1980. ”.

Marginal Citations

M16 1957 c.57.

3 —In section 10(1) of the ^{M17}Firearms Act 1968, for the words “section 2 of the Slaughter of Animals Act 1928” there shall be substituted the words “ section 15 of the Slaughter of Animals (Scotland) Act 1980 ”.

Marginal Citations

M17 1968 c.27.

Status: Point in time view as at 25/09/1991.

Changes to legislation: There are currently no known outstanding effects for the Slaughter of Animals (Scotland) Act 1980. (See end of Document for details)

SCHEDULE 2

Section 24(1).

TRANSITIONAL PROVISIONS AND SAVINGS.

- 1 (1) Without prejudice to section 8(4) of this Act and subject to paragraph 4 of this Schedule, in so far as anything done or having effect as if done under or in pursuance of any of the enactments repealed by this Act (in this Schedule referred to as “the repealed enactments”) could have been done under or in pursuance of a corresponding provision of this Act, it shall not be invalidated by reason only of the repeal but shall have effect as if done under or in pursuance of that provision; and anything begun under any of the repealed enactments may be continued under the corresponding provision of this Act as if begun under that provision.
- (2) Subparagraph (1) above applies in particular to any regulation, byelaw, determination, decision, authorisation, application, licence, renewal, suspension, revocation, notice, purchase, disposal, charge, certificate, prohibition, registration, refusal, cancellation, variation, appeal, objection, advertisement, specification, condition or penalty prescribed, responsibility imposed or warrant granted.
- 2 Without prejudice to any express amendment made by this Act, where any enactment or document refers, either expressly or by implication, to any of the repealed enactments, the reference shall, except where the context otherwise requires, be construed as, or as including, a reference to the corresponding provision of this Act.
- 3 Where any period of time specified in any of the repealed enactments is current at the commencement of this Act, this Act shall have effect as if the corresponding provision of this Act had been in force when that period began to run.
- 4 (1) Nothing in this Act shall affect the repealed enactments in their operation in relation to offences committed before the commencement of this Act.
- (2) Where an offence, for the continuance of which a penalty was provided, has been committed under any of the repealed enactments proceedings may, in the same manner as if the offence had been committed under the corresponding provision of this Act, be taken under this Act in respect of the continuance, after the commencement of this Act, of the offence.
- 5 Without prejudice to paragraph 1 or 4 above, any reference in this Act (whether express or implied) to a thing done or required or authorised to be done, or omitted to be done, or to any event which has occurred, under or for the purposes of or by reference to or in contravention of any of the provisions of this Act shall, except where the context otherwise requires, be construed as including a reference to the corresponding thing done or required or authorised to be done, or omitted, or to the corresponding event which occurred as the case may be, under or for the purposes of or by reference to or in contravention of the corresponding provisions of the repealed enactments and of the enactments repealed by those enactments.

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Changes to legislation: There are currently no known outstanding effects for the Slaughter of Animals (Scotland) Act 1980. (See end of Document for details)

SCHEDULE 3

Section 24(2).

REPEALS

Modifications etc. (not altering text)

- C9** The text of Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Chapter	Short Title	Extent of Repeal
60 & 61 Vict. c.38.	The Public Health (Scotland) Act 1897.	Section 33.
18 & 19 Geo.5. c.29	The Slaughter of Animals (Scotland) Act 1928.	The whole Act
1 & 2 Eliz. 2. c.27	The Slaughter of Animals (Pigs) Act 1953.	The whole Act
2 & 3 Eliz. 2. c.42	The Slaughterhouses Act 1954	The whole Act
2 & 3 Eliz. 2. c.59	The Slaughter of Animals (Amendment) Act 1954.	The whole Act
1972 c.62.	The Agriculture (Miscellaneous Provisions) Act 1972.	Sections 6 and 7. Schedules 1 and 2.

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Slaughter of Animals (Scotland) Act 1980.