



Animal Health and Welfare Act 1984

1984 CHAPTER 40

Slaughter of Poultry Act 1967

5 Extension of scope of 1967 Act

(1) In section 1(1) of the Slaughter of Poultry Act 1967 (prohibition of slaughter of poultry for purposes of preparation for sale for human consumption, except by one of the methods mentioned), the words " for purposes of preparation for sale for human consumption " are omitted.

(2) After subsection (2) of that section there is inserted—

“(2A) Subsection (1) of this section shall not apply to the slaughter of any bird—

- (a) in pursuance of powers conferred by, or by any instrument made or having effect as if made under, the Animal Health Act 1981 ;
- (b) in the course of an experiment in respect of which restrictions are imposed by the Cruelty to Animals Act 1876, being an experiment performed subject to any restrictions so imposed ; or
- (c) by a person registered in the register of veterinary surgeons or the supplementary veterinary register, or a person acting under his direction, where the person so registered is acting in the exercise of his profession.

(2B) The Ministers may, after consultation with such persons or bodies as seem to them representative of the interests concerned, by order approve subject to such conditions as they may think fit any method of slaughter as a method suitable for the slaughter of poultry chicks; and where poultry chicks are slaughtered without the infliction of unnecessary suffering by any method so approved and in accordance with any conditions applicable to the approval—

- (a) subsection (1) of this section shall not apply to their slaughter, and
- (b) nothing done in the course of their slaughter shall be taken to be done in contravention of any prohibition or restriction imposed by or under any other enactment, being a prohibition or restriction of a kind described in the order.

In this subsection 'poultry chicks' means birds to which this Act applies, not being more than 72 hours old.

(2C) The power conferred by subsection (2B) of this section to make orders shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

6 Licences

For section 3 of that Act (regulations for securing humane conditions of slaughter) there is substituted—

“3 Regulations for securing humane conditions of slaughter.

- (1) The Ministers may make regulations for the purpose of securing humane conditions and practices in connection with the slaughter of birds to which this Act applies.
- (2) The regulations may—
 - (a) specify conditions to be observed in connection with the confinement and treatment of any such birds while awaiting slaughter and in connection with the slaughter of any such birds;
 - (b) prohibit the slaughter of any such birds or any activity connected with their slaughter—
 - (i) on premises to which the regulations apply, or
 - (ii) by methods or in circumstances of any description specified in the regulations,
 except under and in accordance with the terms of a licence under the regulations ;
 - (c) require occupiers of premises to which the regulations apply to secure that the provisions of the regulations are complied with on the premises;
 - (d) make different provision for different cases ;
 - (e) provide, in the case of any contravention of any provision of the regulations, for the creation of offences and their punishment on summary conviction with a fine of an amount not exceeding that specified in the regulations.
- (3) The regulations may include provision in respect of—
 - (a) the granting, modification, suspension and revocation of licences by local authorities and, in connection with those matters, the charging of such reasonable fees as the authority concerned may determine;
 - (b) the requirements to be satisfied for the granting of licences and the conditions to which they are to be subject; and
 - (c) the duration of licences.
- (4) The amount that may be specified under subsection (2)(e) of this section is an amount not exceeding level 3 on the standard scale.
- (5) Subsections (2) and (3) of this section are without prejudice to the generality of subsection (1) of this section.

- (6) The Ministers shall, before making any regulations under this section, consult with such persons or bodies as seem to them representative of the interests concerned.
- (7) The power to make regulations under this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

7 Codes of Practice

After section 3 of that Act there is inserted—

“3A Codes of practice.

- (1) The Ministers may from time to time after consultation with such persons or bodies as seem to them representative of the interests concerned—
 - (a) prepare and issue codes of practice for the purpose of providing practical guidance in respect of any provision 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 Ministers 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) of this section, either House resolves that the code be not issued or the proposed alterations be not made, as the case may be, the Ministers shall not issue the code or revised code (without prejudice to their power under that subsection to lay further codes or proposed alterations before Parliament).
- (4) For the purposes of subsection (2) of this section—
 - (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 Ministers shall cause any code issued or revised under this section to be printed and distributed, and may make such arrangements as they think fit for its distribution, including causing copies of it to be put on sale to the public at such reasonable price as the Ministers 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 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.”

8 Powers of entry under 1967 Act

For section 4 of that Act (power to enter premises where slaughter for purposes of preparation for sale for human consumption takes place) there is substituted—

“4 Power of entry.

- (1) Where the power conferred by this subsection is exercisable in relation to any premises to which regulations under section 3 of this Act apply, a person authorised in that behalf by the Minister of Agriculture, Fisheries and Food or the Secretary of State or by the local authority within whose area the premises are situated may enter the premises for the purpose of ascertaining whether there is, or has been, on those premises any contravention of any provision of this Act or of any regulations made or code of practice issued under it.
- (2) Where it is, or appears to the person so authorised to be, the case that the slaughter of birds to which this Act applies is in progress on the premises, the power conferred by subsection (1) of this section is exercisable at any time.
- (3) Where it is, or appears to the person so authorised to be, the case that—
- (a) the slaughter of such birds has within 48 hours been in progress on the premises, or
 - (b) such birds are on the premises for the purpose of their being slaughtered,
- the power conferred by subsection (1) of this section is exercisable at all reasonable hours.
- (4) A person who intentionally obstructs a person in the exercise of his powers under subsection (1) of this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.”

9 Enforcement of 1967 Act

For section 6 of that Act (power to institute proceedings) there is substituted—

“6 Execution and enforcement.

- (1) Every local authority shall execute and enforce in their area the provisions of this Act and of regulations under section 3 of this Act.
- (2) In particular, every local authority shall, for the purpose of securing the execution of those provisions, make arrangements for the supervision by persons having such qualifications as may be specified in the regulations of any premises in their area to which the regulations apply.

- (3) Arrangements under subsection (2) of this section shall comply with such directions as the Ministers may give from time to time.
- (4) This section does not authorise a local authority in Scotland to institute proceedings for any offence.”