



# Welfare of Animals at Slaughter Act 1991

## 1991 CHAPTER 30

**E+W+S**

An Act to make further provision for the welfare of animals at slaughter. [27th June 1991]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1 Regulations under section 38 of the 1974 Act and section 9 of the 1980 Act.** **E**  
**+W+S**

In section 38 of the 1974 Act (regulations for securing humane conditions of slaughter in slaughterhouses and knackers' yards) the following subsection shall be inserted after subsection (5)—

“(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.”; and in section 9 of the 1980 Act (the corresponding Scottish provision) the same subsection shall be added as subsection (4).

**2 Slaughtermen's licences.** **E+W+S**

- (1) Section 40 of the 1974 Act (slaughtermen's licences and applications for such licences) shall be amended as follows.
- (2) In subsection (1)(b) (supervision conditions), there shall be added at the end “ or (as the case may be) except under the supervision of a person having such qualifications as may be prescribed by the regulations ”.
- (3) In subsection (2) (prescribed qualifications for slaughtermen's licences, etc.), for the words from “prescribing” to “the prescribed qualifications” there shall be substituted

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the words “ prohibiting the grant or renewal of licences, or of licences of any class, to persons not having such qualifications as may be prescribed by the regulations ”.

(4) After that subsection there shall be inserted the following subsections—

“(2A) Without prejudice to the generality of subsection (2) above, the qualifications that may be prescribed under that subsection include in particular—

- (a) training of any description; and
- (b) the undergoing of any examination or test;

and different qualifications may be so prescribed in relation to the grant and renewal of licences or of licences of any class.

(2B) Regulations under this section may prescribe the form of a licence and the information to be contained in it.”.

### 3 Slaughtermen’s licences: Scotland. **E+W+S**

(1) Section 16 of the 1980 Act (further provisions in relation to the licensing of slaughtermen and knackers) shall be amended as follows.

(2) In subsection (1) (which provides for the grant of licences under section 15 of that Act subject to a condition prohibiting slaughter except under supervision), there shall be added at the end “ or (as the case may be) except under the supervision of a person having such qualifications as may be prescribed by the regulations ”.

(3) In subsection (3) (prescribed qualifications for licences under section 15), for the words from “prescribing” to the end there shall be substituted the words “ prohibiting the grant of licences, or of licences of any class, under the said section 15 to persons not having such qualifications as may be prescribed by the regulations ”.

(4) After that subsection there shall be inserted the following subsections—

“(3A) Without prejudice to the generality of subsection (3) above, the qualifications that may be prescribed under that subsection include in particular—

- (a) training of any description; and
- (b) the undergoing of any examination or test;

and different qualifications may be so prescribed in relation to the grant and renewal of licences, or of licences of any class, under the said section 15.

(3B) Regulations under this section may prescribe the form of such a licence and the information to be contained in it.”.

### 4 Execution and enforcement of provisions with respect to slaughter of animals. **E+W+S**

(1) The existing provisions of section 41 of the 1974 Act (which impose on every local authority a duty to execute and enforce in their district the provisions of Part II of that Act and any regulations made under it) shall become subsection (1), and the following subsections shall be added at the end—

“(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 prescribed by regulations under

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section 38 above of any premises in their district to which regulations under that section apply.

(3) Arrangements under subsection (2) above shall comply with such directions as the Minister may give from time to time.”.

(2) In section 19 of the 1980 Act (which imposes on every local authority a duty to execute and enforce in their area specified provisions of that Act and provisions of regulations made under specified provisions of that Act), the following subsections shall be inserted after subsection (1)—

“(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.”.

## 5 Codes of practice. **E+W+S**

(1) The following section shall be inserted in the 1974 Act after section 41—

### “41A 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 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.

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- (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.”
- (2) The following section shall be inserted in the 1980 Act after section 19—

**“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

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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
  - (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.”.

## 6 Interpretation. **E+W+S**

In this Act—

“the 1974 Act” means the <sup>M1</sup>Slaughterhouses Act 1974; and

“the 1980 Act” means the <sup>M2</sup>Slaughter of Animals (Scotland) Act 1980.

### Marginal Citations

**M1** 1974 c. 3.

**M2** 1980 c. 13.

## 7 Short title, commencement and extent. **E+W+S**

- (1) This Act may be cited as the Welfare of Animals at Slaughter Act 1991.
- (2) This Act shall come into force at the end of the period of two months beginning with the date on which it is passed.
- (3) This Act does not extend to Northern Ireland.

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