



# Welfare of Animals at Slaughter Act 1991

## 1991 CHAPTER 30

### 5 Codes of practice

(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.

- (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

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.”.