
WELSH STATUTORY INSTRUMENTS

2014 No. 951

The Welfare of Animals at the Time
of Killing (Wales) Regulations 2014

PART 1

General

Title, application and commencement

1. These Regulations—
 - (a) are entitled the Welfare of Animals at the Time of Killing (Wales) Regulations 2014;
 - (b) apply in relation to Wales; and
 - (c) come into force on 20 May 2014.

Commencement Information

I1 [Reg. 1](#) in force at 20.5.2014, see [reg. 1\(c\)](#)

Expiry

- 2.—(1) The following provisions cease to have effect on 8 December 2015—
 - (a) regulation [44](#); and
 - (b) Schedule 7.
- (2) The following provisions cease to have effect on 8 December 2019—
 - (a) regulation [30\(1\)\(h\)](#);
 - (b) regulation [45](#); and
 - (c) Schedule 8.

Commencement Information

I2 [Reg. 2](#) in force at 20.5.2014, see [reg. 1\(c\)](#)

Interpretation

- 3.—(1) In these Regulations—

“the 1967 Act” (“*1967 Act*”) means the Slaughter of Poultry Act 1967(1);

- “the 1974 Act” (“*Deddf 1974*”) means the Slaughterhouses Act 1974(2);
- “the 1995 Regulations” (“*Rheoliadau 1995*”) means the Welfare of Animals (Slaughter or Killing) Regulations 1995(3);
- “authorised veterinary surgeon” (“*milfeddyg awdurdodedig*”) means a veterinary surgeon authorised by the Welsh Ministers for the purpose of carrying out assessments in accordance with regulation 16(c);
- “certificate” (“*tystysgrif*”) (except in the term “temporary certificate” or regulation 41) means a certificate of competence as mentioned in Article 21 and includes a qualification recognised by the competent authority as equivalent to a certificate in accordance with Article 21(7);
- “competent authority” (“*awdurdod cymwys*”) has the meaning given in regulation 4;
- “EU Regulation” (“*Rheoliad UE*”) means Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing(4)[^{F1}as amended from time to time];
- “evidence of training and examination” (“*tystiolaeth o hyfforddi ac arholi*”) means—
- (a) a certificate granted by a body, recognised and regulated by the Welsh Ministers which oversees the training and assessment of persons carrying out the killing of animals and related operations, confirming the passing of an independent examination as provided for in Article 21,
 - (aa) [^{F2}a document attesting the passing of an independent final examination issued by—
 - ((i)) a body designated by the Republic of Ireland as responsible for delivering certificates in accordance with Article 21(1) of the EU Regulation as it has effect in EU law as amended from time to time, or
 - ((ii)) a body to whom the function of the final examination or the issuing of certificates has been delegated in the Republic of Ireland in accordance with Article 21(2) of the EU Regulation as it has effect in EU law as amended from time to time,
 - (ab) a certificate issued in the Republic of Ireland in reliance on Article 29(2) of the EU Regulation as it has effect in EU law,]
 - (ac) [^{F3}a qualification which has been recognised under the Professional Qualifications Regulations 2023 in relation to an operation specified in regulation 6,]
 - (e) a licence granted by the Rabbinical Commission for the purpose of killing animals in accordance with the Jewish method (Shechita) and confirming the passing of an independent examination as provided for in Article 21, or
 - (f) a formal veterinary qualification, as recognised by the Royal College of Veterinary Surgeons (RCVS)(5), and RCVS continuing professional development record combined;
- “horse” (“*ceffyl*”) includes a hinny, ass or mule;
- “inspector” (“*arolygydd*”) means a person appointed under regulation 34 or an inspector appointed under section 51 of the Animal Welfare Act 2006(6);
- “knacker’s yard” (“*iard gelanedd*”) means a premises used principally for the storage of animal carcasses, but also for the commercial killing of animals for purposes other than human consumption, including any associated facilities for handling and lairaging such animals;
- “licence” (“*trwydded*”) means a licence as required by regulation 12;

(2) 1974 c.3.

(3) S.I. 1995/731; relevant amending instruments, in relation to Wales, are S.I. 1999/400 and 2007/2461 (W.208).

(4) OJ No L 303, 18.11.2009, p.1.

(5) RCVS was established by Royal Charter in 1844 and is responsible for the registration of veterinary surgeons and the regulation of their education, ethical and clinical standards.

(6) 2006 c.45.

- “local authority” (“*awdurdod lleol*”) means a county council or a county borough council;
- [^{F4}“the Professional Qualifications Regulations 2023” (“*Rheoliadau Cymwysterau Proffesiynol 2023*”) means the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Wales) (Amendment etc.) Regulations 2023;]
- “Rabbinical Commission” (“*y Comisiwn Rabinaid*”) means the body referred to in Part 4 of Schedule 3 responsible for licensing persons carrying out the killing of animals in accordance with the Jewish method (Shechita);
- “restraining pen” (“*lloc ffrwyno*”) means a pen or compartment which is suitable for restraining an adult bovine animal in an upright position for the purpose of killing in accordance with religious rites (as defined in paragraph 1(c) of Schedule 3) and which is constructed and approved in accordance with paragraph 3 of Schedule 3;
- “simple stunning” (“*stynio syml*”) has the same meaning as in Article 4(1) and “simple stunned” (“*a styniwyd yn syml*”) is to be construed accordingly;
- “stunning pen” (“*lloc stynio*”) means a pen or compartment which is suitable for restraining an adult bovine animal for the purpose of stunning and which is constructed in accordance with paragraph 8 of Schedule 1 or paragraph 9 of Schedule 2;
- “temporary certificate” (“*tystysgrif dros dro*”) means a temporary certificate of competence as mentioned in Article 21(5);
- “veterinary surgeon” (“*milfeddyg*”) means a person registered in the register of veterinary surgeons under section 2 of the Veterinary Surgeons Act 1966(7);
- “WASK licence” (“*trwydded LLACL*”) means a registered licence required by or granted in accordance with Schedule 1 to the 1995 Regulations.

(2) Terms and expressions used in these Regulations that are also used in the EU Regulation have the same meaning in these Regulations as they have in the EU Regulation, unless specified otherwise.

(3) In these Regulations, a reference to an Article, a Chapter or an Annex is a reference to that Article or Chapter of, or that Annex to, the EU Regulation.

^{F5}(4)

Textual Amendments

- F1** Words in [reg. 3\(1\)](#) inserted (31.12.2020) by [The Animal Health and Welfare \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/684\)](#), regs. 1(2), **5(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in [reg. 3\(1\)](#) inserted (31.12.2020) by [The Animal Health and Welfare \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/684\)](#), regs. 1(2), **5(2)(aa)** (as inserted by [S.I. 2019/1375](#), regs. 1(2), 2) 2020 c. 1, **Sch. 5 para. 1(1)**
- F3** Words in [reg. 3\(1\)](#) inserted (1.12.2023) by [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Wales\) \(Amendment etc.\) Regulations 2023 \(S.I. 2023/1294\)](#), reg. 1, **Sch. 3 para. 9(2)(a)**
- F4** Words in [reg. 3\(1\)](#) inserted (1.12.2023) by [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Wales\) \(Amendment etc.\) Regulations 2023 \(S.I. 2023/1294\)](#), reg. 1, **Sch. 3 para. 9(2)(b)**
- F5** [Reg. 3\(4\)](#) omitted (31.12.2020) by virtue of [The Animal Health and Welfare \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/684\)](#), regs. 1(2), **5(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

(7) [1966 c. 36](#); section 2 was amended by [S.I. 2003/2919](#), article 12 and the Schedule, paragraph 1 and [S.I. 2008/1824](#), article 2 and the Schedule, paragraph 2(a).

Commencement Information

I3 Reg. 3 in force at 20.5.2014, see [reg. 1\(c\)](#)

The competent authority

- 4.—(1) The Food Standards Agency is the competent authority for the purposes of—
- (a) Part 2 (certificates, temporary certificates and licences), unless specified otherwise;
 - (b) approving restraining pens in accordance with paragraph 3 of Schedule 3; and
 - (c) in relation to the killing of animals in a slaughterhouse—
 - (i) receiving and assessing documents, records or information in accordance with Articles 6(4), 9(1), 14(2) and 17(5);
 - (ii) receiving and assessing other documents, records or information in accordance with the EU Regulation or these Regulations; and
 - (iii) taking action in the event of any non-compliance with the EU Regulation or these Regulations in accordance with [^{F6}Article 138 (actions in the event of established non-compliance) of Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products].
- (2) Otherwise, the Welsh Ministers are the competent authority ^{F7}... for the purposes of the EU Regulation and these Regulations.
- (3) The Welsh Ministers may act as the competent authority in relation to—
- (a) the suspension or revocation of certificates, temporary certificates or licences under Part 2; and
 - (b) the appointment of inspectors in accordance with regulation 34.

Textual Amendments

- F6** Words in [reg. 4\(1\)\(c\)\(iii\)](#) substituted (31.1.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), [regs. 1\(2\)](#), **25**
- F7** Words in [reg. 4\(2\)](#) omitted (31.12.2020) by virtue of [The Animal Health and Welfare \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/684\)](#), [regs. 1\(2\)](#), **5(3)**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I4 Reg. 4 in force at 20.5.2014, see [reg. 1\(c\)](#)

PART 2

Certificates, temporary certificates and licences

CHAPTER 1

Certificates and temporary certificates

Requirement for a certificate or temporary certificate

5.—(1) Subject to regulations 23(2) and 44, no person may carry out an operation specified in regulation 6 except under and to the extent authorised by a certificate registered with the competent authority or a temporary certificate.

(2) No person may carry out an operation specified in regulation 6 under a temporary certificate unless that person works in the presence, and under the direct supervision of, a person who holds a certificate registered with the competent authority in relation to that operation.

Commencement Information

I5 Reg. 5 in force at 20.5.2014, see reg. 1(c)

Operations which require a certificate or temporary certificate

6. The operations referred to in regulation 5 are—

- (a) any of the following operations carried out in a slaughterhouse—
 - (i) an operation specified in any of sub-paragraphs (a) to (g) of Article 7(2); and
 - (ii) the pithing of a stunned animal and assessment of effective pithing; and
- (b) supervising the killing of fur animals in accordance with Article 7(3).

Commencement Information

I6 Reg. 6 in force at 20.5.2014, see reg. 1(c)

Certificates

7. The competent authority must grant and register a certificate if—

- (a) the applicant meets the conditions in regulation 8; and
- (b) the competent authority is satisfied the applicant is a fit and proper person to hold a certificate.

Commencement Information

I7 Reg. 7 in force at 20.5.2014, see reg. 1(c)

Conditions for a certificate

8. The applicant must—

- (a) not be less than 18 years old, unless the certificate is required for the following operations—

- (i) the handling and care of animals before they are restrained; or
- (ii) the shackling or hoisting of live poultry before stunning;
- (b) subject to regulation 44, submit evidence of training and examination in respect of the operation, category of animal and (where appropriate) type of equipment for which a certificate is sought;
- (c) submit a written declaration in accordance with Article 21(6);
- (d) provide written details if the applicant—
 - (i) has been convicted of any offence concerning the welfare of animals;
 - (ii) has been refused a licence under the 1967 Act, the 1974 Act, any regulations made under either of those Acts or the 1995 Regulations in relation to the killing of an animal or related operation; or
 - (iii) has had any such licence revoked or suspended; and
- (e) pay a fee in accordance with regulation 24.

Commencement Information

18 Reg. 8 in force at 20.5.2014, see **reg. 1(c)**

Temporary certificates

- 9.** The competent authority must grant a temporary certificate if—
- (a) the applicant meets the conditions in regulation 10; and
 - (b) the competent authority is satisfied the applicant is a fit and proper person to hold a temporary certificate.

Commencement Information

19 Reg. 9 in force at 20.5.2014, see **reg. 1(c)**

Conditions for a temporary certificate

- 10.** The applicant must—
- (a) not be less than 18 years old, unless the temporary certificate is required for the following operations—
 - (i) the handling and care of animals before they are restrained; or
 - (ii) the shackling or hoisting of live poultry before stunning;
 - (b) submit evidence of registration on a training course in respect of the operation, category of animal and (where appropriate) type of equipment for which a temporary certificate is sought;
 - (c) submit a written declaration in accordance with Article 21(5)(d) and (6); and
 - (d) provide written details if the applicant—
 - (i) has been convicted of any offence concerning the welfare of animals;
 - (ii) has been refused a licence under the 1967 Act, the 1974 Act, any regulations made under either of those Acts or the 1995 Regulations in relation to the killing of an animal or related operation; or

(iii) has had any such licence revoked or suspended.

Commencement Information

I10 Reg. 10 in force at 20.5.2014, see [reg. 1\(c\)](#)

Grant of certificates and temporary certificates

11.—(1) A certificate or temporary certificate must specify the operation, category of animal and (where appropriate) type of equipment in respect of which it has been granted.

(2) A certificate or temporary certificate may be granted in respect of an operation, category of animal and (where appropriate) type of equipment only if—

- (a) in the case of a certificate, the evidence of training and examination submitted with the application for the certificate relates to that operation, category of animal and type of equipment; or
- (b) in the case of a temporary certificate, the training course on which the applicant is registered provides training in relation to that operation, category of animal and type of equipment.

(3) Certificates or temporary certificates granted in [^{F8}England, Scotland or Northern Ireland] for operations which require a certificate or temporary certificate in Wales under these Regulations have effect in Wales as if they were certificates or temporary certificates granted under these Regulations.

Textual Amendments

F8 Words in [reg. 11\(3\)](#) substituted (31.12.2020) by [The Animal Health and Welfare \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/684\)](#), [regs. 1\(2\), 5\(4\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I11 Reg. 11 in force at 20.5.2014, see [reg. 1\(c\)](#)

CHAPTER 2

Licences

Requirement for a licence

12. Subject to regulations [14](#) and [23\(2\)](#), no person may carry out an operation specified in regulation [13](#) except under and to the extent authorised by a licence registered with the competent authority.

Commencement Information

I12 Reg. 12 in force at 20.5.2014, see [reg. 1\(c\)](#)

Operations which require a licence

13. The operations referred to in regulation [12](#) are any of the following operations carried out other than in a slaughterhouse—

- (a) an operation specified in any of sub-paragraphs (b) to (f) of Article 7(2) carried out for the purposes specified in Article 10 (private domestic consumption) by a person other than the owner of the animal;
- (b) an operation specified in any of sub-paragraphs (b) to (f) of Article 7(2) carried out for the purposes specified in Article 11 (direct supply of small quantities of poultry, rabbits and hares);
- (c) in relation to the killing of solipeds, ruminants, pigs, rabbits, poultry or ratites other than for human consumption—
 - (i) the restraint of animals for the purpose of stunning;
 - (ii) the stunning of animals;
 - (iii) the assessment of effective stunning;
 - (iv) the shackling or hoisting of stunned animals, other than poultry;
 - (v) the bleeding of live animals; and
- (d) the pithing of a stunned animal and assessment of effective pithing.

Commencement Information

I13 [Reg. 13](#) in force at 20.5.2014, see [reg. 1\(c\)](#)

Exceptions to the requirement for a licence

14. Regulation 12 does not apply to any person who—

- (a) holds a certificate registered with the competent authority, provided that the scope of the certificate extends to the operation being undertaken;
- (b) works in the presence, and under the direct supervision, of a person who holds a certificate or licence registered with the competent authority, provided that the scope of the certificate or licence extends to the operation being undertaken;
- (c) works in the presence, and under the direct supervision, of a veterinary surgeon;
- (d) carries out the emergency killing of an animal;
- (e) kills an animal other than for a commercial purpose;
- (f) for purposes other than human consumption, kills an animal in the field by means of a free bullet;
- (g) for purposes other than human consumption, kills poultry by means of cervical dislocation (where there are no other methods available for stunning) on premises forming part of an agricultural holding on which the poultry were reared;
- (h) kills an animal for the purpose of depopulation;
- (i) kills surplus chicks or embryos in hatchery waste;
- (j) is a veterinary surgeon acting in the exercise of the veterinary surgeon's profession; or
- (k) kills an animal in circumstances which are out of scope of the EU Regulation by virtue of Article 1(3)(a).

Commencement Information

I14 [Reg. 14](#) in force at 20.5.2014, see [reg. 1\(c\)](#)

Licences

15. The competent authority must grant and register a licence if—
- (a) the applicant meets the conditions in regulation 16; and
 - (b) the competent authority is satisfied the applicant is a fit and proper person to hold a licence.

Commencement Information

I15 Reg. 15 in force at 20.5.2014, see reg. 1(c)

Conditions for a licence

16. The applicant must—
- (a) not be less than 18 years old;
 - (b) provide written details if the applicant—
 - (i) has been convicted of any offence concerning the welfare of animals;
 - (ii) has been refused a licence under the 1967 Act, the 1974 Act, any regulations made under either of those Acts or the 1995 Regulations in relation to the killing of an animal or related operation; or
 - (iii) has had any such licence revoked or suspended;
 - (c) provide evidence in writing that an authorised veterinary surgeon has assessed the applicant and is of the opinion that the applicant—
 - (i) is competent to carry out the operation in respect of the category of animal and (where appropriate) type of equipment for which a licence is sought without causing an animal avoidable pain, distress or suffering, and
 - (ii) has sufficient knowledge of the provisions of all relevant legislation and guidance relating to that operation, category of animal and (where appropriate) type of equipment for which the licence is sought; and
 - (d) pay a fee in accordance with regulation 24.

Commencement Information

I16 Reg. 16 in force at 20.5.2014, see reg. 1(c)

Grant of licences

17.—(1) A licence must specify the operation, category of animal and (where appropriate) type of equipment in respect of which it has been granted.

(2) A licence may be granted in respect of an operation, category of animal and (where appropriate) type of equipment only if the assessment referred to in regulation 16(c) relates to that operation, category of animal and type of equipment.

(3) Certificates or licences granted in England, Scotland or Northern Ireland for operations which must be licensed in Wales under these Regulations have effect in Wales as if they were licences granted under these Regulations.

Commencement Information

I17 [Reg. 17](#) in force at 20.5.2014, see [reg. 1\(c\)](#)

CHAPTER 3

Administrative provisions

Refusal to grant a certificate, temporary certificate or licence

18.—(1) The competent authority may, by notice in writing, refuse to grant a certificate, temporary certificate or licence if satisfied that the applicant—

- (a) has failed to meet any of the conditions in regulations [8](#), [10](#) or [16](#) (as the case may be); or
 - (b) is not a fit and proper person to hold a certificate, temporary certificate or licence.
- (2) The notice must—
- (a) give reasons for the refusal; and
 - (b) give details of the right of appeal against the decision.

Commencement Information

I18 [Reg. 18](#) in force at 20.5.2014, see [reg. 1\(c\)](#)

Suspension or revocation of a certificate, temporary certificate or licence

19.—(1) The competent authority may, by notice in writing, suspend or revoke a certificate, temporary certificate^{F9} ... or licence if satisfied that the holder of the certificate, temporary certificate or licence—

- (a) has failed to comply with any provision of the EU Regulation or these Regulations;
 - (b) is no longer a fit and proper person to hold it;
 - (c) is not, or is no longer, competent to carry out the operations which the certificate, temporary certificate or licence authorises; or
 - (d) has been convicted of an offence concerning the welfare of animals.
- (2) The notice must—
- (a) give reasons for the suspension or revocation;
 - (b) state when the suspension or revocation comes into effect and, in the case of suspension, state on what date or event it is to cease to have effect; and
 - (c) give details of the right of appeal against the decision.

(3) Any person whose certificate, temporary certificate or licence is suspended or revoked must, whether or not that suspension or revocation is the subject of an appeal pursuant to regulation [22](#), surrender it to the competent authority within 14 days of receipt of the notice informing that person of the suspension or revocation.

Textual Amendments

F9 Words in [reg. 19\(1\)](#) omitted (31.12.2020) by virtue of [The Animal Health and Welfare \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/684\)](#), regs. [1\(2\)](#), [5\(5\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I19 Reg. 19 in force at 20.5.2014, see [reg. 1\(c\)](#)

Modification of a certificate or licence

20. The competent authority must modify a certificate or licence in respect of an operation, category of animal or (where appropriate) type of equipment as requested by an applicant if—

- (a) the applicant meets the conditions in regulation 8 or 16 (as the case may be) in respect of the modification; and
- (b) the competent authority is satisfied the applicant is a fit and proper person to hold a certificate or licence, as modified.

Commencement Information

I20 Reg. 20 in force at 20.5.2014, see [reg. 1\(c\)](#)

Refusal to modify a certificate or licence

21.—(1) The competent authority may, by notice in writing, refuse to modify a certificate or licence if satisfied that the applicant—

- (a) has failed to meet the conditions in regulation 8 or 16 (as the case may be) in respect of the modification; or
 - (b) is not a fit and proper person to hold a certificate or licence, as modified.
- (2) The notice must—
- (a) give reasons for the refusal; and
 - (b) give details of the right of appeal against the decision.

Commencement Information

I21 Reg. 21 in force at 20.5.2014, see [reg. 1\(c\)](#)

Appeals

22.—(1) A person who is aggrieved by a decision of the competent authority to refuse, suspend or revoke a certificate, temporary certificate or licence, or refuse to modify a certificate or licence, may appeal against it.

[^{F10}(1A) A person who has applied for recognition of a qualification under the Professional Qualifications Regulations 2023 in relation to an operation specified in regulation 6 may appeal against a decision of the competent authority not to recognise the person's qualification for those purposes.]

- (2) The right of appeal is to the First-tier Tribunal.
- (3) A decision to suspend or revoke a certificate, temporary certificate or licence is not suspended pending an appeal unless the First-tier Tribunal orders otherwise.
- (4) On appeal the First-tier Tribunal may either overturn or confirm the decision, with or without modification.

[^{F11}(5) In paragraph (1A), the reference to a decision of the competent authority not to recognise a person's qualification under the Professional Qualifications Regulations 2023 is to be treated as including any failure by the competent authority to notify the applicant of its decision concerning the person's application within the period of four months beginning with the day after the day on which the person submitted a complete application to the competent authority under the Professional Qualifications Regulations 2023.]

Textual Amendments

- F10** Reg. 22(1A) inserted (1.12.2023) by The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Wales) (Amendment etc.) Regulations 2023 (S.I. 2023/1294), reg. 1, **Sch. 3 para. 9(3)(a)**
- F11** Reg. 22(5) inserted (1.12.2023) by The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Wales) (Amendment etc.) Regulations 2023 (S.I. 2023/1294), reg. 1, **Sch. 3 para. 9(3)(b)**

Commencement Information

- I22** Reg. 22 in force at 20.5.2014, see **reg. 1(c)**

WASK licences

23.—(1) On the coming into force of these Regulations, a WASK licence which is still in force immediately before 20 May 2014 continues in existence as a qualification equivalent to a certificate in accordance with Article 21(7).

(2) A WASK licence holder may carry out an operation specified in regulation 6 or 13 without holding a certificate or licence registered with the competent authority provided that, by 8 December 2015, the WASK licence holder—

- (a) registers the WASK licence as a certificate with the competent authority; and
- (b) pays a fee in accordance with regulation 24.

Commencement Information

- I23** Reg. 23 in force at 20.5.2014, see **reg. 1(c)**

Fees

24.—(1) In respect of an application of a type described in column 1 of the Table, the applicant must pay to the Food Standards Agency the fee specified in column 2 in relation to that type of application.

Table

<i>Column 1</i>	<i>Column 2</i>
<i>Type of application</i>	<i>Fee (£)</i>
Application for a certificate	25
Application to register a WASK licence as a certificate	25
Application to modify a certificate	8

<i>Column 1</i>	<i>Column 2</i>
<i>Type of application</i>	<i>Fee (£)</i>
Application for a licence	25
Application to modify a licence	8

(2) In respect of an assessment under regulation 16(c) by an authorised veterinary surgeon exercising functions on behalf of the Welsh Ministers, the applicant must pay to the Welsh Ministers a fee calculated in accordance with paragraph (3).

(3) The fee referred to in paragraph (2) is—

- (a) £76 for the first half-hour or part thereof spent by an authorised veterinary surgeon on an assessment including time spent on associated documentation;
- (b) £21 for each additional half-hour or part thereof spent by an authorised veterinary surgeon on an assessment including time spent on associated documentation; and
- (c) the actual cost of travelling, accommodation and any other expenses reasonably incurred by the authorised veterinary surgeon.

Commencement Information

I24 [Reg. 24](#) in force at 20.5.2014, see [reg. 1\(c\)](#)

PART 3

National rules

Additional requirements for slaughterhouses

25. Schedule 1 has effect.

Commencement Information

I25 [Reg. 25](#) in force at 20.5.2014, see [reg. 1\(c\)](#)

Additional requirements for killing animals other than in slaughterhouses

26. Schedule 2 has effect.

Commencement Information

I26 [Reg. 26](#) in force at 20.5.2014, see [reg. 1\(c\)](#)

Additional requirements for killing animals in accordance with religious rites

27. Schedule 3 has effect.

Commencement Information

I27 [Reg. 27](#) in force at 20.5.2014, see [reg. 1\(c\)](#)

Killing animals other than those to which the EU Regulation applies

28. Schedule 4 has effect.

Commencement Information

I28 [Reg. 28](#) in force at 20.5.2014, see [reg. 1\(c\)](#)

PART 4

Derogation

Depopulation operations

29. Where the competent authority grants a derogation under Article 18(3), the competent authority must publish notice in writing of that decision which may be—

- (a) subject to conditions;
- (b) published in such manner as the competent authority thinks fit; and
- (c) amended, suspended or revoked in writing.

Commencement Information

I29 [Reg. 29](#) in force at 20.5.2014, see [reg. 1\(c\)](#)

PART 5

Offences and penalties

Offences

30.—(1) It is an offence for a person to contravene, or to cause or permit a person to contravene—

- (a) [regulation 5\(1\)](#) or (2) (requirement for a certificate or temporary certificate);
- (b) [regulation 12](#) (requirement for a licence);
- (c) any of paragraphs 3 to 32 of Schedule 1 (additional requirements for slaughterhouses);
- (d) any of paragraphs 4 to 44 of Schedule 2 (additional requirements for killing animals other than in slaughterhouses);
- (e) any of paragraphs 2 to 8 of Schedule 3 (additional requirements for killing animals in accordance with religious rites);
- (f) paragraph 4 or 5 of Schedule 4 (killing animals other than those to which the EU Regulation applies);

- (g) a provision of the EU Regulation specified in Schedule 5, except where it is not necessary to comply with the provision by virtue of—
 - (i) an exemption or transitional provision specified in the EU Regulation; or
 - (ii) a derogation granted by the competent authority under Article 18(3) in relation to a depopulation operation; or
 - (h) until 8 December 2019, any of paragraphs 1 to 7 of Schedule 8, to the extent that they apply by virtue of regulation 45 (transitional provision: slaughterhouses).
- (2) It is an offence for a person to fail to comply with an enforcement notice under regulation 38.

Commencement Information

I30 Reg. 30 in force at 20.5.2014, see [reg. 1\(c\)](#)

Obstruction offences

31. It is an offence—
- (a) intentionally to obstruct any person acting in the execution of the EU Regulation or these Regulations;
 - (b) without reasonable cause, to fail to give to any such person any assistance or information that that person may reasonably require;
 - (c) to furnish to any such person any information knowing it to be false or misleading; or
 - (d) to fail to produce a document or record to any such person when required to do so.

Commencement Information

I31 Reg. 31 in force at 20.5.2014, see [reg. 1\(c\)](#)

Offences by bodies corporate

32.—(1) Where a body corporate is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of—

- (a) a director, manager, secretary or other similar officer of the body corporate, or
- (b) a person who was purporting to act in any such capacity,

that person, as well as the body corporate, is guilty of the offence.

(2) In paragraph (1) “director” (“*cyfarwyddwr*”), in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

Commencement Information

I32 Reg. 32 in force at 20.5.2014, see [reg. 1\(c\)](#)

Penalties

33.—(1) A person guilty of an offence under regulation 30 or 31 is liable on summary conviction to a fine not exceeding level 5 on the standard scale, except where specified in paragraph (2).

(2) A person guilty of an offence under regulation [30\(1\)\(g\)](#) in relation to a contravention of Article 3 is liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding three months.

Commencement Information

I33 [Reg. 33](#) in force at 20.5.2014, see [reg. 1\(c\)](#)

PART 6

Enforcement

Inspectors

34. The competent authority or a local authority may appoint inspectors for the purpose of enforcing the EU Regulation and these Regulations.

Commencement Information

I34 [Reg. 34](#) in force at 20.5.2014, see [reg. 1\(c\)](#)

Power to enter premises

35.—(1) An inspector may, on giving reasonable notice, enter any premises at a reasonable hour for the purpose of executing or enforcing the EU Regulation and these Regulations, and in this Part, “premises” (“*mangre*”) includes any land, building, shed, pen, receptacle or vehicle of any description.

- (2) The requirement to give notice does not apply—
- (a) where the requirement has been waived by the occupier;
 - (b) where reasonable efforts to agree an appointment have failed;
 - (c) where an inspector has reasonable suspicion of a failure to comply with the EU Regulation or these Regulations;
 - (d) where an inspector reasonably believes that giving notice would defeat the object of the entry; or
 - (e) in an emergency where entry is required urgently.

(3) Paragraph (1) does not apply in relation to any premises which are used wholly or mainly as a private dwelling house unless a right of entry is conferred by a warrant granted under regulation [36](#).

(4) An inspector must, if requested to do so, produce a duly authenticated authorisation document.

(5) An inspector who enters any unoccupied premises must leave them as effectively secured against unauthorised entry as they were before entry.

[^{F12}(6) An inspector may be accompanied by such other persons as the inspector considers necessary.]

Textual Amendments

F12 [Reg. 35\(6\)](#) substituted (31.12.2020) by [The Animal Health and Welfare \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/684\)](#), regs. [1\(2\)](#), [5\(6\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I35 [Reg. 35](#) in force at 20.5.2014, see [reg. 1\(c\)](#)

Warrants

36.—(1) A justice of the peace may, by signed warrant, permit an inspector to enter premises, if necessary by reasonable force, if satisfied, on sworn information in writing—

- (a) that there are reasonable grounds to enter those premises for the purpose of enforcing the EU Regulation or these Regulations; and
 - (b) that any of the conditions in paragraph (2) are met.
- (2) The conditions are—
- (a) entry to the premises has been, or is likely to be, refused, and notice of the intention to apply for a warrant has been given to the occupier;
 - (b) asking for entry to the premises, or giving such a notice, would defeat the object of the entry;
 - (c) entry is required urgently; or
 - (d) the premises are unoccupied or the occupier is temporarily absent.
- (3) A warrant under this regulation is valid for three months.

Commencement Information

I36 [Reg. 36](#) in force at 20.5.2014, see [reg. 1\(c\)](#)

Power to inspect and seize

37.—(1) An inspector who has entered premises for the purposes of executing and enforcing the EU Regulation or these Regulations may for those purposes—

- (a) carry out any examination, investigation or test;
- (b) make any enquiries, observe any operation or process, and take recordings or photographs;
- (c) inspect and search the premises;
- (d) take samples (and send them for laboratory testing) from any animal, carcase or part of a carcase;
- (e) seize and detain any carcase or part of a carcase for further examining, investigating or testing;
- (f) seize and detain any equipment or instrument for further examining, investigating or testing;
- (g) have access to, inspect and check the data on, and operation of, any computer and any associated equipment;
- (h) seize any computers and associated equipment for the purpose of copying data, but only if the inspector has a reasonable suspicion that an offence under these Regulations has been committed, and provided that they are returned as soon as practicable;
- (i) require the production of any document or record and inspect and take a copy of or extract from such document or record; and
- (j) require any person to provide such assistance, information, facilities or equipment as is reasonable.

- (2) An inspector must—
- (a) as soon as reasonably practicable, provide to the person appearing to be responsible for any items that the inspector seizes under paragraph (1) a written receipt identifying those items; and
 - (b) as soon as is reasonably practicable after deciding that those items are no longer required, return them, apart from those to be used as evidence in court proceedings.
- (3) Where an inspector has seized items under paragraph (1) for use in evidence in court proceedings and—
- (a) it is subsequently decided—
 - (i) that no court proceedings are to be brought; or
 - (ii) that those items are no longer needed as evidence in court proceedings; or
 - (b) the court proceedings are completed and no order in relation to those items has been made by the court,
- an inspector must return the items as soon as is reasonably practicable.

Commencement Information

I37 Reg. 37 in force at 20.5.2014, see [reg. 1\(c\)](#)

Enforcement notices

- 38.**—(1) An enforcement notice is a notice in writing—
- (a) requiring a person— to take specified steps to remedy a contravention of the EU Regulation or these Regulations;
 - (b) requiring a person to reduce the rate of operation to such extent as is specified in the notice until that person has taken specified steps to remedy a contravention of the EU Regulation or these Regulations; or
 - (c) prohibiting a person from carrying on an activity, process or operation, or using facilities or equipment, specified in the notice until that person has taken specified steps to remedy a contravention of the EU Regulation or these Regulations.
- (2) An inspector who is of the opinion that a person has contravened or is contravening the EU Regulation or these Regulations may serve on that person an enforcement notice.
- (3) An enforcement notice must—
- (a) state that the inspector is of that opinion;
 - (b) state the date and time of service of the notice;
 - (c) identify the recipient of the notice;
 - (d) specify the matters constituting the contravention;
 - (e) specify the steps that must be taken to remedy the contravention;
 - (f) specify the period within which those steps must be taken; and
 - (g) give details of the right of appeal against the notice.
- (4) A person on whom an enforcement notice is served must comply with it at that person's own expense.
- (5) If an enforcement notice is not complied with, the inspector may arrange for it to be complied with at the expense of the person on whom it was served.

(6) An inspector must serve a completion notice if, after service of the enforcement notice, the inspector is satisfied that the person has taken the steps specified in the notice to remedy the contravention.

(7) In the event of an inspector not being satisfied as provided for in paragraph (6), the inspector may, by notice in writing, refuse to serve a completion notice and the notice must—

- (a) give reasons for the refusal; and
- (b) give details for the right of appeal against the decision.

(8) An enforcement notice ceases to have effect on the issue of a completion notice.

(9) An inspector may at any time withdraw or vary an enforcement notice in writing.

Commencement Information

I38 Reg. 38 in force at 20.5.2014, see [reg. 1\(c\)](#)

Appeals against enforcement notices

39.—(1) A person who is aggrieved by—

- (a) a decision of an inspector to serve an enforcement notice; or
- (b) a decision of an inspector to refuse to issue a completion notice,

may appeal against it.

(2) The right of appeal is to the First-tier Tribunal.

(3) An enforcement notice is not suspended pending an appeal unless the First-tier Tribunal orders otherwise.

(4) On appeal the First-tier Tribunal may either cancel or confirm the enforcement notice, with or without modification, or make such order as it thinks fit as regards refusal to serve a completion notice.

Commencement Information

I39 Reg. 39 in force at 20.5.2014, see [reg. 1\(c\)](#)

Power of local authority to prosecute

40. A local authority may prosecute any offence under these Regulations.

Commencement Information

I40 Reg. 40 in force at 20.5.2014, see [reg. 1\(c\)](#)

Time limit for prosecutions

41.—(1) Notwithstanding section 127(1) of the Magistrates' Courts Act 1980⁽⁸⁾, a magistrates' court may try any information relating to an offence under these Regulations if the information is laid—

(8) 1980 c.43.

- (a) before the end of the period of three years beginning with the date of the commission of the offence; and
 - (b) before the end of the period of six months beginning with the date on which evidence which the prosecutor thinks is sufficient to justify the proceedings comes to the prosecutor's knowledge.
- (2) For the purposes of paragraph (1)(b)—
- (a) a certificate signed by or on behalf of the prosecutor and stating the date on which such evidence came to the prosecutor's knowledge is conclusive evidence of that fact; and
 - (b) a certificate stating that matter and purporting to be so signed is treated as so signed unless the contrary is proved.

Commencement Information

I41 Reg. 41 in force at 20.5.2014, see [reg. 1\(c\)](#)

PART 7

Miscellaneous provisions

Notices

42.—(1) Any notice required or authorised to be served under these Regulations to any person may be given by—

- (a) delivering it to the person;
- (b) leaving it at the person's proper address; or
- (c) sending it by post to the person at that address.

(2) Any such notice may—

- (a) in the case of a body corporate, be served on an officer of the body; or
- (b) in the case of a limited liability partnership, be served on a partner or a person having the control or management of the partnership business.

(3) For the purposes of this regulation and section 7 of the Interpretation Act 1978⁽⁹⁾ (service of documents by post) in its application to this regulation, the proper address of any person on whom a notice is to be served is—

- (a) in the case of a body corporate, the address of the registered or principal office of the body;
- (b) in the case of a limited liability partnership, the address of the registered or principal office of the partnership;
- (c) in the case of a person on whom the notice is served in reliance on paragraph (2), the proper address of the body corporate or partnership in question; and
- (d) in any other case, the last known address of the person in question.

(4) If a person on whom a notice is to be served under these Regulations has specified an address for service of such a notice, that address is also to be treated, for the purposes of this regulation and section 7 of the Interpretation Act 1978 in its application to this regulation, as that person's proper address.

⁽⁹⁾ 1978 c.30.

(5) If the name or address of any occupier of premises on whom a notice is to be served under these Regulations cannot, after reasonable inquiry, be ascertained, the notice may be served by leaving it conspicuously affixed to a building or object on the premises.

(6) In this regulation—

- (a) “body corporate” (“*corff corfforaethol*”) does not include a limited liability partnership; and
- (b) references to serving include references to similar expressions (such as giving or sending).

Commencement Information

I42 Reg. 42 in force at 20.5.2014, see [reg. 1\(c\)](#)

Consequential and supplementary amendments

43. Schedule 6 (consequential and supplementary amendments) has effect.

Commencement Information

I43 Reg. 43 in force at 20.5.2014, see [reg. 1\(c\)](#)

Transitional provision: certificates

44. Schedule 7 (transitional provisions - certificates) has effect.

Commencement Information

I44 Reg. 44 in force at 20.5.2014, see [reg. 1\(c\)](#)

Transitional provision: slaughterhouses (layout, construction and equipment)

45.—(1) Paragraph (2) applies in relation to a slaughterhouse in operation immediately before 1 January 2013, but does not apply in relation to—

- (a) any new layout or construction of such a slaughterhouse (or associated lairage) brought into operation after that date; or
- (b) any new equipment used in such a slaughterhouse and brought into operation after that date.

(2) In relation to a slaughterhouse to which this paragraph applies, until 8 December 2019—

- (a) Article 14(1) and Annex II do not apply; and
- (b) Schedule 8 applies.

Commencement Information

I45 Reg. 45 in force at 20.5.2014, see [reg. 1\(c\)](#)

Revocations

46. The following instruments and enactments are revoked in relation to Wales—

Changes to legislation: There are currently no known outstanding effects for the *The Welfare of Animals at the Time of Killing (Wales) Regulations 2014*. (See end of Document for details)

- (a) the Welfare of Animals (Slaughter or Killing) Regulations 1995⁽¹⁰⁾;
- (b) the Welfare of Animals (Slaughter or Killing) (Amendment) Regulations 1999⁽¹¹⁾;
- (c) regulation 10(3) of, and Part 3 of Schedule 8 to, the Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (England and Wales) Regulations 2000⁽¹²⁾; and
- (d) the Welfare of Animals (Slaughter or Killing) (Amendment) (Wales) Regulations 2007⁽¹³⁾.

Commencement Information

I46 Reg. 46 in force at 20.5.2014, see [reg. 1\(c\)](#)

Alun Davies
Minister for Natural Resources and Food, one of
the Welsh Ministers

⁽¹⁰⁾ S.I. 1995/731; relevant amending instruments, in relation to Wales, are S.I. 1999/400, 2000/656 and 2007/2461 (W.208).
⁽¹¹⁾ S.I. 1999/400.
⁽¹²⁾ S.I. 2000/656.
⁽¹³⁾ S.I. 2007/2461 (W.208).

Changes to legislation:

There are currently no known outstanding effects for the The Welfare of Animals at the Time of Killing (Wales) Regulations 2014.