

# ABATTOIRS ACT 1988

## - LONG TITLE

An Act to amend and extend the law relating to abattoirs and knackereries; to make provision for veterinary and hygiene controls in such abattoirs and knackereries, and to make provision for other connected matters.

[3rd April, 1988]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

## - PART I

### - PRELIMINARY AND GENERAL

#### - SECT 1

Short title, commencement, construction and collective citation.

1.—(1) This Act may be cited as the Abattoirs Act, 1988.

(2) This Act or any specified provision of this Act shall come into operation on such day or days as the Minister may, by order, appoint.

(3) The Slaughter of Animals Act, 1935, and section 47 of this Act shall be construed together as one Act and may be cited together as the Slaughter of Animals Acts, 1935 and 1988.

(4) The Agricultural Produce (Fresh Meat) Acts, 1930 to 1938, and sections 43 and 48 of this Act shall be construed together as one Act and may be cited together as the Agricultural Produce (Fresh Meat) Acts, 1930 to 1988.

(5) The Milk and Dairies Acts, 1935 and 1956, and section 49 of this Act shall be construed together as one Act and may be cited together as the Milk and Dairies Acts, 1935 to 1988.

(6) The Pigs and Bacon Acts, 1935 to 1961, and sections 43 and 50 of this Act shall be construed together as one Act and may be cited together as the Pigs and Bacon Acts, 1935 to 1988.

(7) The Bovine Diseases (Levies) Act, 1979, and section 51 of this Act shall be construed together as one Act and may be cited together as the Bovine Diseases (Levies) Acts, 1979 and 1988.

(8) The C oras Beostoic agus Feola Act, 1979, and section 52 of this Act shall be construed together as one Act and may be cited together as the C oras Beostoic agus Feola Acts, 1979 and 1988.

- SECT 2

Interpretation.

2.—(1) In this Act—

"abattoir" means any premises used for or in connection with the slaughter of animals whose meat is intended for human consumption and includes a slaughterhouse but does not include a place situated on a farm, other than a place referred to in subsection (2) of this section, which is used for the occasional slaughter of a pig, or for the slaughter of an animal which has been injured by accident and the slaughter of which is necessary to prevent its suffering and—

( a ) such pig, or such injured animal, is maintained for farming purposes on such farm by its occupier, and

( b ) the meat from such pig or such injured animal is intended for consumption only by the residents on such farm:

Provided that, for the purposes of this Act, the onus of proving that—

(i) the conditions specified at paragraphs ( a ) and (b) of this definition are complied with, or

(ii) an animal (other than a pig) which is slaughtered is an animal which has been injured by accident,

shall lie on the person seeking the benefit of such proof;

"abattoir licence" means a licence issued under section 9 of this Act;

"animal" means cattle, sheep, pigs, goats, horses and all other equine animals;

"appropriate fee" has the meaning assigned to it by section 10 of this Act;

"authorised officer" means an officer of the Minister or an officer of a local authority appointed to be an authorised officer for the purposes of this Act;

"carcase" means the whole body of a slaughtered animal after—

( a ) bleeding and evisceration, and

( b ) removal of the limbs at the carpus and tarsus, and

( c ) removal of the head, tail and udder,

and, in the case of cattle, sheep, goats, horses and all other

equine animals, after skinning;

"health mark" means the mark applied pursuant to section 40 of this Act;

"knackery" means any premises used for and in connection with the collection, delivery, supply, slaughter, storage, skinning or cutting up of animals or parts of animals which are not intended for human consumption, and "knackery" shall include any premises which are used—

( a ) as a knacker's yard, or

( b ) for the cutting up of dead animals, or parts of dead animals, for sale as dog or pet food, or

( c ) as a kennels where dead animals or parts thereof are fed to hounds, or

( d ) as a dead animal collection depot, or

( e ) for hide removal,

but shall not include a premises used exclusively as either a meat and bonemeal or rendering plant, or as both a meat and bonemeal and rendering plant, or a premises registered under the Diseases of Animals (Feeding and Use of Swill) Orders, 1985 and 1987;

"knackery licence" means a licence issued under section 24 of this Act;

"licence" means, as the context may require, an abattoir licence or a knackery licence;

"local authority" means the council of a county or the corporation of a county borough;

"meat" means any part of an animal, including blood, which can be, or is, used for human consumption;

"Minister" means the Minister for Agriculture and Food;

"offal" means all parts of a slaughtered animal, other than the carcass;

"premises" includes land whether or not there are structures on the land;

"prescribed" means prescribed by Regulations and "prescribe" shall be construed accordingly;

"sanitary authority" has the meaning specified in section 37 of this Act;

"sell" includes offer (including a free offer), expose or keep for

sale, invite an offer to buy, or distribute for reward and cognate words shall be construed accordingly;

"veterinary examination Regulations" means Regulations under section 39 of this Act;

"veterinary inspector" means a person who is a veterinary surgeon and is appointed by the Minister or by a local authority to be a veterinary inspector for the purposes of this Act;

"veterinary surgeon" means any person who is lawfully qualified to practice veterinary surgery in the State;

"viscera" means offal from the thoracic, abdominal and pelvic cavities (including the trachea and oesophagus).

(2) For the purposes of this Act, any place which is used for the slaughter of animals and is situated on a farm ancillary to a hotel, guest house, school, hospital, nursing home or other institution shall be deemed to be an abattoir.

(3) The Minister may, by order, for all or any of the purposes of this Act, amend—

( a ) the definition of "animal" so as to extend the application of this Act or any of its provisions to such other animal or poultry as he considers necessary, or

( b ) the definition of "animal" so as to exclude from the application of this Act or any of its provisions such animal or poultry as he considers necessary, or

( c ) the definition of "abattoir" or "knackery" so as to extend the application of this Act or any of its provisions to such other premises as he considers necessary, or

( d ) the definition of "abattoir" or "knackery" so as to exclude from the application of this Act or any of its provisions such type of premises as he considers necessary.

(4) The Minister may, by order, amend or revoke an order made under this section (including this subsection).

- SECT 3  
Repeals.

3.—(1) The enactments specified in Part I of the First Schedule to this Act are hereby repealed to the extent specified in the third column in that Part of that Schedule.

(2) The enactments specified in Part II of the First Schedule to this Act are hereby repealed to the extent specified in the third column in that Part of that Schedule.

(3) The enactments specified in Part III of the First Schedule to

this Act are hereby repealed to the extent specified in the third column in that Part of that Schedule.

- SECT 4

Non-application of Act.

4.—This Act shall not apply to a premises which is—

( a ) licensed under the Pigs and Bacon Acts, 1935 to 1961, or

( b ) registered under the Agricultural Produce (Fresh Meat) Acts, 1930 to 1938, and which is for the time being occupied by a person who holds a licence under those Acts.

- SECT 5

Non-application of certain provisions to abattoirs and knackereries.

5.—The following provisions, that is to say—

( a ) section 50 of the Towns Improvement (Ireland) Act, 1854,

( b ) sections 16, 27 and 28 of the Dublin General Markets Act, 1861,

( c ) section 16 of the Dublin Cattle Market Act, 1862,

( d ) section 144 of the Cork Improvement Act, 1868,

( e ) sections 124 (4) and (5) of the Sligo Borough Improvement Act, 1869,

( f ) sections 128 to 131 of the Public Health (Ireland) Act, 1878, and

( g ) section 104 of the Dublin Corporation Act, 1890,

shall not apply to an abattoir or a knackery to which this Act applies.

- SECT 6

Expenses.

6.—The expenses incurred by the Minister in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

## **- PART II**

### **- ABATTOIRS**

#### **- SECT 7**

Interpretation (Part II).

7.—In this Part of this Act "the register" means the register of abattoir licences established pursuant to section 12 of this Act.

#### **- SECT 8**

Prohibitions on use of premises as abattoir.

8.—(1) The occupier of any premises shall not use such premises, or permit such premises to be used, as an abattoir unless he is the holder of a licence (in this Act referred to as an "abattoir licence") in respect of such premises.

(2) A person, who is not the occupier of a premises, shall not use such premises as an abattoir unless the occupier of the premises is the holder of an abattoir licence in respect of such premises.

(3) Any person who contravenes the provisions of this section shall be guilty of an offence.

#### **- SECT 9**

Abattoir licence.

9.—(1) Subject to the provisions of this Act and the Regulations made thereunder, an abattoir licence shall be granted by the Minister and shall remain in force for such period not exceeding 12 months as may be fixed by the Minister.

(2) Subject to the provisions of this Act and the Regulations made thereunder, an abattoir licence granted pursuant to subsection (1) of this section shall be renewed by the Minister for such period not exceeding 12 months as may be fixed by him.

(3) The Minister, following consultation with the Minister for the Environment, may, by Regulations, transfer his functions in relation to abattoir licences to the local authority within whose functional area the abattoir concerned is situate.

(4) Notwithstanding the generality of subsection (3) of this section, Regulations under that subsection may make provision for all or any of the following matters—

( a ) the making of different provisions in relation to the transfer of functions to different local authorities or classes of local authorities;

( b ) the withdrawal, whenever the Minister considers it necessary so to do, of any function, previously transferred by Regulations under that subsection to a local authority, from that local authority;

( c ) the payment to a local authority to which a function is transferred of all fees in relation to abattoir licences relating to any abattoir in its functional area.

(5) Whenever the Minister proposes to make Regulations pursuant to subsection (3) of this section, the Regulations shall not be made until a draft of the Regulations has been laid before each House of the Oireachtas and a resolution approving of the draft has been passed by each such House.

- SECT 10

Application for abattoir licence.

10.—(1) Every application for the grant or renewal of an abattoir licence shall be in such form as may be determined by the Minister and shall be accompanied by the appropriate fee.

(2) Every application for the grant or renewal of an abattoir licence shall relate to one premises only.

(3) Where an application is made pursuant to this section for the grant or renewal of an abattoir licence, the Minister shall, before considering the application, cause the premises to which the application relates to be inspected by an authorised officer of the Minister.

(4) The Minister shall not consider an application for the grant or renewal of an abattoir licence unless the application is accompanied by the appropriate fee.

(5) Where the Minister, having considered an application for the grant or renewal of an abattoir licence, decides that the application should be refused, the appropriate fee paid in respect of the application shall be repaid to the applicant.

(6) The Minister may, by Regulations, vary the amount of the appropriate fee.

(7) In this Act "the appropriate fee" means a fee determined by reference to the number of animals slaughtered in the abattoir to which the application relates during the calendar year immediately preceding the date of the application in the following manner—

( a ) if the number of animals slaughtered in such abattoir in that year was less than 500, a fee of £10;

( b ) if the number of animals slaughtered in such abattoir in that year was 500 or more but was less than 1,000, a fee of £50;

( c ) in any other case, a fee of £100.

- SECT 11

Grant or renewal of abattoir licence.

11.—(1) The Minister shall, following consultation with the local authority in whose functional area an abattoir is situate, if he is satisfied that the applicant—

( a ) is a fit and proper person to hold an abattoir licence,  
and

( b ) has, in relation to the abattoir concerned, complied with the provisions of—

(i) the Slaughter of Animals Act, 1935, and

(ii) this Act and the Regulations made thereunder,

grant or, as the case may be, renew an abattoir licence.

(2) An abattoir licence may contain a condition limiting the class or number of animals that may be slaughtered in the abattoir to which it relates, or in such part of such abattoir as may be specified.

(3) The Minister may assign to each abattoir in respect of which a licence is granted under this Act a distinctive number or letter, or number and letter.

- SECT 12

Register of abattoir a licences.

12.—(1) The Minister shall establish and maintain a register of abattoir licences (in this Part of this Act referred to as "the register") of every licence granted by him under this Part of this Act.

(2) There shall be entered in the register—

( a ) the full name, address and description of the holder of the licence,

( b ) an exact description of the location and the limits and extent of the abattoir to which the licence relates,

( c ) the date on which the licence was issued and the expiry date thereof,

( d ) such other particulars of, or in respect of, the licence or of the abattoir to which it relates as the Minister may, from time to time, direct.

(3) Whenever an abattoir licence is altered or revoked, there shall be entered in the register such particulars of the alteration or

revocation, as the case may be, as the Minister may, from time to time, direct.

(4) A certificate purporting to be under the hand of an officer, authorised by the Minister in that behalf, of the Minister that an abattoir specified in the certificate is not entered in the register shall, until the contrary is proved, be evidence of the matters so certified and it shall not be necessary to prove the signature of such officer, or that he was such an officer, or that he was in fact so authorised.

- SECT 13

Non-transferability of abattoir licence.

13.—(1) The holder of an abattoir licence shall not transfer the licence to any other person and any such purported transfer shall be void and of no effect.

(2) Where the holder of an abattoir licence dies, the licence shall continue in full force and effect for the benefit of the licence holder's personal representative, or, as the case may be, his spouse or any other member of his family, for the period of four months, or for the period then unexpired of the term of the licence, whichever is the longer, after the death of the licence holder and shall then expire.

- SECT 14

Refusal of abattoir licence.

14.—(1) The Minister may, at any time, when he considers it proper so to do, refuse an application for the grant or renewal of an abattoir licence.

(2) Whenever the Minister considers it proper to refuse an application for the grant or renewal of an abattoir licence, he shall, by at least 21 days notice in writing, notify the applicant of his intention to refuse the application and of the reasons therefor.

(3) Whenever the Minister decides to refuse an application for the grant or renewal of an abattoir licence, he shall, by notice in writing, notify the applicant—

( a ) of his decision and of the reasons therefor, and

( b ) of the time limit within which, and of the manner in which, an appeal against such decision may, pursuant to section 16 of this Act, be made, and

( c ) if, at the date on which such application is made, the premises to which the application relates are used as an abattoir, whether such premises may, in accordance with the provisions of this Act, continue to be so used.

- SECT 15

Power of Minister to revoke abattoir licence.

15.—(1) The Minister may, at any time, revoke an abattoir licence if he is satisfied that—

( a ) the licence has been obtained by fraud or by misrepresentation (whether fraudulent or innocent), or

( b ) there has been any contravention (whether by commission or omission) of any provision of this Act or of any Regulation made thereunder, or

( c ) the holder of a licence has not, within a reasonable time, complied with the requirements of a notice served under section 18 of this Act.

(2) Before revoking an abattoir licence pursuant to this section, the Minister shall, by at least 21 days notice in writing, notify the holder of the licence of his intention to revoke the licence and of the reasons therefor.

(3) Whenever the Minister decides to revoke an abattoir licence pursuant to this section, he shall, by notice in writing, notify the holder of the licence—

( a ) of his decision and of the reasons therefor, and

( b ) of the time limit within which, and of the manner in which, an appeal against such revocation may, pursuant to section 16 of this Act, be made, and

( c ) whether the premises concerned may, in accordance with the provisions of this Act, continue to be used as an abattoir.

- SECT 16

Appeal against refusal or revocation of abattoir licence.

16.—(1) Whenever the Minister refuses to grant or renew, or revokes, an abattoir licence, the applicant for, or the holder of, such licence may, within 21 days after the date of the service of the notice of, as the case may be, the refusal or revocation, appeal to the Circuit Court against such refusal or revocation.

(2) Whenever the Minister refuses to grant or renew, or revokes, an abattoir licence in respect of premises which, at the time the Minister made his decision, were lawfully being used as an abattoir, such premises may, if the Minister is satisfied that there is no danger to public health, continue to be used as an abattoir—

( a ) until the time for making an appeal has elapsed, or

( b ) if an appeal is made, until such time as the appeal is first mentioned in the Circuit Court,

and thereafter the premises may be so used only by leave of the Circuit Court.

(3) Whenever, in accordance with subsection (2) of this section, a premises is continued to be used as an abattoir, notwithstanding the refusal or revocation of an abattoir licence in relation to that premises, the provisions of—

( a ) this Act and the Regulations made thereunder,

( b ) the Slaughter of Animals Act, 1935,

( c ) the Bovine Diseases (Levies) Act, 1979, and

( d ) the C oras Beostoic agus Feola Act, 1979,

shall continue to apply to such premises as if such premises were a licensed abattoir.

(4) On the hearing of an appeal under this section, the Circuit Court may do whatever appears to it to be just and proper having regard to the provisions of this Act and the Regulations made thereunder and may either—

( a ) dismiss the appeal, with or without costs, or

( b ) allow the appeal, with costs, and direct the Minister to grant or renew the licence, or to cancel the revocation,

and the decision of the Circuit Court on an appeal under this section shall be final save that, by leave of that Court, an appeal shall lie to the Supreme Court on a point of law.

(5) On the hearing of an appeal under this section, the onus of establishing that the provisions of this Act in relation to the granting, renewal or continuing in force of a licence have been complied with shall lie on the person making the appeal.

- SECT 17

Permit relating to abattoir.

17.—(1) Subject to subsection (5) of this section, where, in the opinion of the Minister, special circumstances exist and he considers it reasonable so to do, the Minister may, after consultation with the local authority in whose functional area an abattoir is situated, in lieu of granting an abattoir licence in respect of any premises, grant to a person a permit to operate the premises as an abattoir for such period as may be specified in the permit and the Minister may attach to such permit such conditions as appear to him to be necessary.

(2) On the expiration of the period specified in a permit granted under subsection (1) of this section, the Minister may, if he considers it reasonable so to do, renew the permit for such further period as may be specified in the renewed permit.

(3) A permit granted or renewed under this section shall, for the period of its validity, have the same force and effect as an abattoir licence under this Act and the provisions of this Act (other than section 16 of this Act) relating to abattoir licences shall apply to a permit granted under this section.

(4) The Minister shall not grant or renew a permit under this section unless the applicant has first paid to the Minister the appropriate fee as if the permit were an abattoir licence.

(5) A permit under this section shall not be granted in respect of a premises unless the premises—

( a ) was constructed as, or was adapted for use as, or was used as, an abattoir on or before the commencement of this section, and

( b ) is capable, within a reasonable time, of being so reconstructed or altered that it complies in every respect with the requirements of this Act and of the Regulations made thereunder.

(6) This section shall cease to have effect on the expiry of five years after its commencement.

- SECT 18

Suspension of abattoir.

18.—(1) Whenever, in relation to an abattoir, an authorised officer is of opinion that there is grave and immediate danger—

( a ) to public health arising from the manner in which such abattoir is managed or maintained, or

( b ) that meat, which is in such abattoir and is intended for sale for human consumption, is liable, if consumed, to cause serious illness, or

( c ) that meat, which is in such abattoir and is intended for sale for human consumption, is, or may become, unfit for human consumption by virtue of non-compliance with the provisions of this Act or of Regulations made thereunder,

the authorised officer may serve on the holder of the abattoir licence in relation to that abattoir or on the person who seems to him to be, for the time being, in charge of such abattoir, a notice in writing requiring—

(i) the immediate closure of such abattoir or part thereof, or

(ii) that the slaughtering of animals or the preparation of meat in that abattoir cease forthwith,

and the notice may specify the steps that ought to be taken, or the things that ought to be done, before such abattoir or part thereof, as the case may be, is reopened or before the slaughtering

of animals or the preparation of meat is resumed in that abattoir.

(2) A person upon whom a notice is served under subsection (1) of this section shall forthwith comply with the terms of the notice.

(3) Any person who fails to comply with the terms of a notice under subsection (1) of this section shall be guilty of an offence.

(4) An authorised officer may at any time revoke a notice served by him under subsection (1) of this section.

(5) The service of a notice under subsection (1) of this section shall not be construed as in any way affecting any proceedings, whether instituted before or after such service, in which a contravention of any provision of this Act or of Regulations made thereunder is alleged.

(6) Any person aggrieved by a notice under subsection (1) of this section may, not later than 21 days after the service of the notice, appeal to the District Court against the notice.

(7) On the hearing of an appeal under subsection (6) of this section, the District Court may, as it thinks proper, cancel or confirm the notice, and the decision of the District Court on such hearing shall be final save that, by leave of that Court, an appeal shall lie to the High Court on a point of law.

#### - SECT 19

Power of local authority to provide public abattoirs.

19.—(1) A local authority may, if it so desires, provide public abattoirs and, if any such public abattoir is provided by a local authority, operations shall not commence in such abattoir unless and until an abattoir licence has first been obtained in relation thereto.

(2) Where, at the commencement of this Act, a council of a county, corporation of a county or other borough, council of an urban district, or commissioners of a town is, or are, leasing or renting a public slaughterhouse provided by it or them pursuant to section 105 of the Public Health (Ireland) Act, 1878, to a person or body of persons, nothing in the lease or, as the case may be, the rental agreement, concerned shall in any way invalidate or take precedence over any provision of this Act.

#### - SECT 20

Regulations relating to abattoirs.

20.—(1) The Minister may, in relation to abattoirs, make Regulations in respect of all or any of the following matters—

( a ) the reception of, and the manner in which, animals are to be assembled, penned and rested prior to slaughter, and restrained for slaughter;

( b ) the washing and disinfecting of vehicles used in connection with the transport of animals to abattoirs;

( c ) the times at which slaughterings may take place;

( d ) the manner of the slaughter and evisceration of animals and the dressing, cleaning, hanging, cooling, vacuum wrapping, storing, cutting-up, processing, weighing and loading of meat;

( e ) the retention, identification and presentation for the purpose of inspection by a veterinary inspector of animals, carcasses, offals and viscera;

( f ) the hygiene (including operational hygiene) and maintenance of premises and equipment and the hygiene and health of the staff;

( g ) the storage and disposal of offals, hides and waste products.

(2) Any person who contravenes the provisions of Regulations made under this section shall be guilty of an offence.

### **- PART III**

#### **- KNACKERIES**

##### **- SECT 21**

Interpretation ( Part III).

21.—In this Part of this Act "the register" means the register of knackery licences established pursuant to section 27 of this Act.

##### **- SECT 22**

Prohibition on sale for human consumption of products of knackery.

22.—(1) A person shall not sell, offer, expose for sale, or have in his possession for the purposes of sale, or of preparation for sale, for human consumption, any part of an animal, or any meat or other product derived wholly or partly therefrom, which has been slaughtered or cut-up in, or which has been delivered to, or originated in, a knackery.

(2) Any person who contravenes the provisions of this section shall be guilty of an offence.

##### **- SECT 23**

Prohibition on use of premises as knackery.

23.—(1) The occupier of any premises shall not use such premises, or permit such premises to be used, as a knackery unless he is the holder of a licence (in this Act referred to as a "knackery licence") in respect of such premises.

(2) A person, who is not the occupier of a premises, shall not

use such premises as a knackery unless the occupier of the premises is the holder of a knackery licence in respect of such premises.

(3) Any person who contravenes the provisions of this section shall be guilty of an offence.

- SECT 24  
Knackery licence.

24.—(1) Subject to the provisions of this Act and the Regulations made thereunder, a knackery licence shall be granted by the Minister and shall remain in force for such period not exceeding 12 months as may be fixed by the Minister.

(2) Subject to the provisions of this Act and the Regulations made thereunder, a knackery licence granted pursuant to subsection (1) of this section shall be renewed by the Minister for such period not exceeding 12 months as may be fixed by him.

(3) The Minister, following consultation with the Minister for the Environment, may, by Regulations, transfer his functions in relation to knackery licences to the local authority within whose functional area the knackery concerned is situate.

(4) Notwithstanding the generality of subsection (3) of this section, Regulations under that subsection may make provision for all or any of the following matters—

( a ) the making of different provisions in relation to the transfer of functions to different local authorities or classes of local authorities;

( b ) the withdrawal, whenever the Minister considers it necessary so to do, of any function, previously transferred by Regulations under that subsection to a local authority, from that local authority;

( c ) the payment to a local authority to which a function is transferred of all fees in relation to knackery licences relating to any knackery in its functional area.

(5) Whenever the Minister proposes to make Regulations pursuant to subsection (3) of this section, the Regulations shall not be made until a draft of the Regulations has been laid before each House of the Oireachtas and a resolution approving of the draft has been passed by each such House.

- SECT 25  
Application for knackery licence.

25.—(1) Every application for the grant or renewal of a knackery licence shall be in such form as may be determined by the Minister and shall be accompanied by a fee of £10.

(2) Every application for the grant or renewal of a knackery

licence shall relate to one premises only.

(3) Where an application is made pursuant to this section for the grant or renewal of a knackery licence, the Minister shall, before considering the application, cause the premises to which the application relates to be inspected by an authorised officer of the Minister.

(4) The Minister shall not consider an application for the grant or renewal of a knackery licence unless the application is accompanied by the fee specified in subsection (1) of this section.

(5) Where the Minister, having considered an application for the grant or renewal of a knackery licence, decides that the application should be refused, the fee paid in respect of the application shall be repaid to the applicant.

(6) The Minister may, by Regulations, vary the amount of the fee specified in subsection (1) of this section.

- SECT 26

Grant or renewal of knackery licence.

26.—The Minister shall, following consultation with the local authority in whose functional area a knackery is situate, if he is satisfied that the applicant—

( a ) is a fit and proper person to hold a knackery licence, and

( b ) has, in relation to the knackery concerned, complied with the provisions of—

(i) the Slaughter of Animals Act, 1935, and

(ii) this Act and the Regulations made thereunder,

grant or, as the case may be, renew a knackery licence.

- SECT 27

Register of knackery licences.

27.—(1) The Minister shall establish and maintain a register of knackery licences (in this Part of this Act referred to as "the register") of every licence granted by him under this Part of this Act.

(2) There shall be entered in the register—

( a ) the full name, address and description of the holder of the licence,

( b ) an exact description of the location and the limits and extent of the knackery to which the licence relates,

( c ) the date on which the licence was issued and the expiry

date thereof,

( d ) such other particulars of, or in respect of, the licence or of the knackery to which it relates as the Minister may, from time to time, direct.

(3) Whenever a knackery licence is altered or revoked, there shall be entered in the register such particulars of the alteration or revocation, as the case may be, as the Minister may, from time to time, direct.

(4) A certificate purporting to be under the hand of an officer, authorised by the Minister in that behalf, of the Minister that a knackery specified in the certificate is not entered in the register shall, until the contrary is proved, be evidence of the matters so certified and it shall not be necessary to prove the signature of such officer, or that he was such an officer, or that he was in fact so authorised.

- SECT 28

Non-transferability of knackery licence.

28.—(1) The holder of a knackery licence shall not transfer the licence to any other person and any such purported transfer shall be void and of no effect.

(2) Where the holder of a knackery licence dies, the licence shall continue in full force and effect for the benefit of the licence holder's personal representative, or, as the case may be, his spouse or any other member of his family, for the period of four months, or for the period then unexpired of the term of the licence, whichever is the longer, after the death of the licence holder and shall then expire.

- SECT 29

Refusal of knackery licence.

29.—(1) The Minister may, at any time, when he considers it proper so to do, refuse an application for the grant or renewal of a knackery licence.

(2) Whenever the Minister considers it proper to refuse an application for the grant or renewal of a knackery licence, he shall, by at least 21 days notice in writing, notify the applicant of his intention to refuse the application and of the reasons therefor.

(3) Whenever the Minister decides to refuse an application for the grant or renewal of a knackery licence, he shall, by notice in writing, notify the applicant—

( a ) of his decision and of the reasons therefor, and

( b ) of the time limit within which, and of the manner in which, an appeal against such decision may, pursuant to section 31

of this Act, be made, and

( c ) if, at the date on which such application is made, the premises to which the application relates are used as a knackery, whether such premises may, in accordance with the provisions of this Act, continue to be so used.

- SECT 30

Power of Minister to revoke knackery licence.

30.—(1) The Minister may, at any time, revoke a knackery licence if he is satisfied that—

( a ) the licence has been obtained by fraud or by misrepresentation (whether fraudulent or innocent), or

( b ) there has been any contravention (whether by commission or omission) of any provision of this Act or of any Regulation made thereunder, or

( c ) the holder of a licence has not, within a reasonable time, complied with the requirements of a notice served under section 33 of this Act.

(2) Before revoking a knackery licence pursuant to this section, the Minister shall, by at least 21 days notice in writing, notify the holder of the licence of his intention to revoke the licence and of the reasons therefor.

(3) Whenever the Minister decides to revoke a knackery licence pursuant to this section, he shall, by notice in writing, notify the holder of the licence—

( a ) of his decision, and of the reasons therefor, and

( b ) of the time limit within which, and of the manner in which, an appeal against such revocation may, pursuant to section 31 of this Act, be made, and

( c ) whether the premises concerned may, in accordance with the provisions of this Act, continue to be used as a knackery.

- SECT 31

Appeal against refusal or revocation of knackery licence.

31.—(1) Whenever the Minister refuses to grant or renew, or revokes, a knackery licence, the applicant for, or the holder of, such licence may, within 21 days after the date of the service of the notice of, as the case may be, the refusal or revocation, appeal to the Circuit Court against such refusal or revocation.

(2) Whenever the Minister refuses to grant or renew, or revokes, a knackery licence in respect of premises which, at the time the Minister made his decision, were lawfully being used as a knackery, such premises may, if the Minister is satisfied that there is no

danger to public health, continue to be used as a knackery—

( a ) until the time for making an appeal has elapsed, or

( b ) if an appeal is made, until such time as the appeal is first mentioned in the Circuit Court,

and thereafter the premises may be so used only by leave of the Circuit Court.

(3) Whenever, in accordance with subsection (2) of this section, a premises is continued to be used as a knackery notwithstanding the refusal or revocation of a knackery licence in relation to that premises, the provisions of—

( a ) this Act and the Regulations made thereunder, and

( b ) the Slaughter of Animals Act, 1935,

shall continue to apply to such premises as if such premises were a licensed knackery.

(4) On the hearing of an appeal under this section, the Circuit Court may do whatever appears to it to be just and proper having regard to the provisions of this Act and the Regulations made thereunder and may either—

( a ) dismiss the appeal, with or without costs, or

( b ) allow the appeal, with costs, and direct the Minister to grant or renew the licence, or to cancel the revocation,

and the decision of the Circuit Court on an appeal under this section shall be final save that, by leave of that Court, an appeal shall lie to the Supreme Court on a point of law.

(5) On the hearing of an appeal under this section, the onus of establishing that the provisions of this Act in relation to the granting, renewal or continuing in force of a licence have been complied with shall lie on the person making the appeal.

- SECT 32

Permit relating to knackery.

32.—(1) Subject to subsection (5) of this section, where, in the opinion of the Minister, special circumstances exist and he considers it reasonable so to do, the Minister may, after consultation with the local authority in whose functional area a knackery is situate, in lieu of granting a knackery licence in respect of any premises, grant to a person a permit to operate the premises as a knackery for such period as may be specified in the permit and the Minister may attach to such permit such conditions as appear to him to be necessary.

(2) On the expiration of the period specified in a permit granted

under subsection (1) of this section, the Minister may, if he considers it reasonable so to do, renew the permit for such further period as may be specified in the renewed permit.

(3) A permit granted or renewed under this section shall, for the period of its validity, have the same force and effect as a knackery licence under this Act and the provisions of this Act (other than section 31 of this Act) relating to knackery licences shall apply to a permit granted under this section.

(4) The Minister shall not grant or renew a permit under this section unless the applicant has first paid to the Minister a fee of the amount specified in section 25 of this Act as if the permit were a knackery licence.

(5) A permit under this section shall not be granted in respect of a premises unless the premises—

( a ) was constructed as, or was adapted for use as, or was used as, a knackery on or before the commencement of this section, and

( b ) is capable, within a reasonable time, of being so reconstructed or altered that it complies in every respect with the requirements of this Act and of the Regulations made thereunder.

(6) This section shall cease to have effect on the expiry of five years after its commencement.

- SECT 33

Suspension of knackery.

33.—(1) Whenever, in relation to a knackery, an authorised officer is of opinion that there is grave and immediate danger to public health or to animal health, or to public health and animal health, arising from the manner in which such knackery is managed or maintained, the authorised officer may serve on the holder of the knackery licence in relation to that knackery, or on the person who seems to him to be, for the time being, in charge of such knackery, a notice in writing requiring the immediate closure of such knackery.

(2) A notice served under subsection (1) of this section may specify the steps that ought to be taken, or the things that ought to be done, before the knackery, in respect of which the notice was served, may continue to operate as a knackery.

(3) A notice served under subsection (1) of this section may also direct the holder of the knackery licence, or any other person on whom such notice is served, to prominently display notice of the closure of the knackery at the entrance to such premises and in such other places, if any, as may be specified in the notice.

(4) A person upon whom a notice is served under subsection (1) of this section shall forthwith comply with the terms of the notice.

(5) Any person who fails to comply with the terms of a notice under subsection (1) of this section shall be guilty of an offence.

(6) An authorised officer may at any time revoke a notice served by him under subsection (1) of this section.

(7) The service of a notice under subsection (1) of this section shall not be construed as in any way affecting any proceedings, whether instituted before or after such service, in which a contravention of any provision of this Act or of Regulations made thereunder is alleged.

(8) Any person aggrieved by a notice under subsection (1) of this section may, not later than 21 days after the service of the notice, appeal to the District Court against the notice.

(9) On the hearing of an appeal under subsection (8) of this section, the District Court may, as it thinks proper, cancel or confirm the notice, and the decision of the District Court on such hearing shall be final save that, by leave of that Court, an appeal shall lie to the High Court on a point of law.

- SECT 34

Regulations relating to knackeries.

34.—(1) The Minister may, in relation to knackeries, make Regulations in respect of all or any of the following matters—

( a ) the operational hygiene of staff and the keeping of premises and equipment (including transport) in a secure and sanitary condition;

( b ) the proper management (including proper arrangements for the storage and disposal of dead animals and parts of dead animals) and maintenance of premises and equipment;

( c ) the regulation and control of the sale for non-human consumption of the products of knackeries (including the staining of such products);

( d ) the keeping of records relating to animals handled in or by the knackery (including their origin and disposal);

( e ) the advertising and placing of advertisements by knackeries for the purchase, sale, collection, delivery, supply, slaughter, storage, skinning or cutting-up of animals.

(2) Any person who contravenes the provisions of Regulations made under this section shall be guilty of an offence.

## - PART IV

### - VETERINARY CONTROL AND HYGIENE

#### - SECT 35

Appointment of veterinary inspectors. .

35.—(1) ( a ) Each local authority shall appoint one or more whole-time veterinary inspectors to carry out the functions conferred on a veterinary inspector under this Act.

( b ) The first appointment pursuant to paragraph (a) of this subsection of a veterinary inspector by a local authority shall be made within six months after the commencement of this section.

(2) In addition to the appointment referred to in subsection (1) of this section, each local authority shall appoint such and so many other veterinary inspectors as it considers necessary.

(3) A local authority may appoint such and so many other officers and servants as it considers necessary to assist any veterinary inspector appointed by it in the performance of his duties.

(4) The provisions of section 59 of the Local Government Act, 1955, shall apply to the appointment of a whole-time veterinary inspector pursuant to this section subject to the following modifications—

( a ) a local authority shall not enter into the agreement referred to in the said section 59 unless the consent of the Minister has been first obtained, and

( b ) the said agreement is entered into by not more than any two local authorities.

(5) A local authority that, wishes, for the purposes of this Act, to enter into an agreement pursuant to section 59 (as modified by subsection (4) of this section) of the Local Government Act, 1955, shall submit to the Minister such information in relation to the proposed agreement as the Minister may request and if any information so requested is not furnished by the local authority concerned the Minister shall not consider the request for his consent to the said proposed agreement.

(6) The Minister may, following consultation with the local authority concerned, if it appears to him that the duties and functions conferred on a local authority by this Act and the Regulations made thereunder are not being fulfilled by the local authority, direct that any agreement entered into, for the purposes of this Act, pursuant to section 59 (as modified by subsection (4) of this section) of the Local Government Act, 1955, shall cease to have effect.

- SECT 36

Allocation of, and duties and powers of, veterinary inspectors.

36.—(1) A local authority shall allocate one or more veterinary inspectors to carry out the duties conferred on a veterinary inspector by this Act to each abattoir in its functional area but may allocate any particular veterinary inspector to two or more abattoirs.

(2) A veterinary inspector shall attend at each abattoir to which he is allocated at such times as the local authority, after consultation with the holder of the licence, may determine and there examine, in accordance with this Act and Regulations made thereunder, all animals, carcasses, meat, offal and viscera that he finds therein and the conditions of hygiene and maintenance pertaining at such abattoir.

(3) A local authority shall make such arrangements as it considers reasonable and necessary for the inspection of each knackery in its functional area.

(4) A veterinary inspector may examine, and carry out such tests as he considers necessary on, any animal, or part thereof, or the carcass, meat, offal or viscera of any animal which he finds in an abattoir or in a knackery and he may take and remove, without payment, samples of—

( a ) the animal or part thereof, or the carcass, meat, offal or viscera of any animal he finds therein, or

( b ) any materials used therein.

(5) A veterinary inspector may at all reasonable times enter and inspect any abattoir or knackery for the purpose of exercising his powers and duties under this Act and the Regulations made thereunder.

(6) Any person who obstructs or unreasonably delays a veterinary inspector in the exercise of his powers and duties under this Act and the Regulations made thereunder shall be guilty of an offence.

- SECT 37

Provisions in relation to certain persons appointed to be veterinary inspectors.

37.—(1) This section applies to a person who, holding the office of veterinary officer under a sanitary authority, is appointed by the local authority in whose functional area the sanitary authority is situate to be a veterinary inspector.

(2) The following provisions shall apply to a person to whom this section applies:

( a ) the appointment referred to in subsection (1) of this section shall not be taken to be removal from or abolition of

office for the purpose of any scheme or enactment relating to superannuation;

( b ) all rights and liabilities of the sanitary authority to any person so appointed shall, immediately on such appointment, be transferred to and be vested in the local authority;

( c ) all rights and liabilities of any person so appointed to the sanitary authority shall, immediately on such appointment, be rights and liabilities of such person to the local authority.

(3) In this Act "sanitary authority" means the sanitary authority under the Local Government (Sanitary Services) Acts, 1878 to 1964, for the area in respect of which the expression is used.

- SECT 38

Provisions relating to functions of sanitary authority transferred by Act.

38.—(1) Every function and duty of, and every record and register maintained by, a sanitary authority which relate to any matter which, as and from the commencement of this Act, will be exercised or, as the case may be, maintained by a local authority are hereby transferred to the local authority within whose functional area the sanitary authority is situate.

(2) Where, immediately before the commencement of this section, any legal proceedings are pending to which a sanitary authority is a party and the proceedings have reference to any function of the sanitary authority which is transferred by this section to a local authority, the name of the local authority concerned shall be substituted in the proceedings for that of the sanitary authority and the proceedings shall not abate by reason of such substitution.

(3) Anything commenced before the commencement of this section by or under the authority of a sanitary authority may, in so far as it relates to functions transferred by this section to a local authority, be carried on or completed on or after such commencement by the local authority concerned.

(4) A reference in any enactment to a veterinary officer appointed by a sanitary authority shall, in so far as such reference relates to any function transferred by this section, be construed as a reference to a veterinary inspector appointed under this Act.

- SECT 39

Veterinary examination Regulations.

39.—(1) The Minister may make Regulations (in this Act referred to as veterinary examination Regulations) for the purpose of establishing the fitness of meat for human consumption.

(2) Without prejudice to the generality of subsection (1) of this section, Regulations under this section may provide for all or any of the following matters—

- ( a ) the ante-mortem examination by a veterinary inspector of animals intended for slaughter;
- ( b ) the grounds (including the diseases, conditions or presence of residues) by reason of which animals may not be passed by a veterinary inspector as fit for slaughter;
- ( c ) the post-mortem examination by a veterinary inspector of carcasses and offals (including the blood and viscera) of slaughtered animals;
- ( d ) the grounds (including the diseases, conditions or presence of residues or contaminants) by reason of which the meat of any animal may be declared by a veterinary inspector as unfit for human consumption;
- ( e ) the grounds (including the diseases, conditions or presence of residues or contaminants) by reason of which the meat of any animal may be detained for further examination;
- ( f ) the marking (including denaturing and staining), storage and destruction or disposal of meat which is found by a veterinary inspector to be unfit for human consumption, and the giving of directions by a veterinary inspector as to the destruction or disposal of any such unfit meat;
- ( g ) the test methods, standards and requirements for the purpose of determining the fitness of meat for human consumption;
- ( h ) any other matter relating to the fitness of meat for human consumption which the Minister considers to be necessary.

(3) Veterinary examination Regulations may provide that the provisions of the Regulations, subject to such modifications as may be specified therein, shall apply to any animal, other than an animal to which this Act applies, or poultry which, or the carcase, meat and offals of which, a veterinary inspector finds in an abattoir.

(4) Any person who contravenes the provisions of Regulations made under this section shall be guilty of an offence.

- SECT 40

The health mark.

40.—(1) The Minister may prescribe—

( a ) the health mark to be applied to meat by a veterinary inspector, and

( b ) the manner in which meat which is consigned in packages from abattoirs should be identified or labelled.

(2) Without prejudice to the generality of subsection (1), Regulations under this section may make provision for all or any of

the following matters:

( a ) the form, design and materials to be used in a stamping instrument for the application of a health mark;

( b ) the marking substance to be used in the health mark;

( c ) the manner in which the health mark is to be applied;

( d ) the places on the meat where the health mark is to be applied;

( e ) the persons who may apply the health mark to meat.

(3) Any person who—

( a ) being a person other than a person specified in Regulations pursuant to this section, applies a health mark to meat, or

( b ) applies, alters or erases a health mark with intent to deceive, or

( c ) being a person other than an authorised officer or a person lawfully instructed by such authorised officer, cancels, imports, makes, orders, purchases, possesses or uses a stamping instrument for the application of a health mark, or

( d ) imitates, forges or sells without due authority a stamping instrument for the application of a health mark,

shall be guilty of an offence.

(4) Any person who contravenes the provisions of Regulations made under this section shall be guilty of an offence.

- SECT 41

Application of health mark.

41.—(1) A veterinary inspector shall, if the conditions specified in subsection (2) have been complied with, in such manner as may be prescribed, apply, or cause to be applied, the health mark to the meat of every animal which is slaughtered at an abattoir and is presented to him for application of the health mark.

(2) The conditions referred to in subsection (1) are that:

( a ) the animal was examined by a veterinary inspector before it was slaughtered and had been found to be fit for slaughter;

( b ) the animal was slaughtered in the prescribed manner;

( c ) the meat of such animal was examined by a veterinary inspector and found to be fit for human consumption; and

( d ) at the time of the application of the health mark, the

meat was clean, fresh, properly dressed and in a marketable condition.

- SECT 42

Restriction on sale, supply, etc., of meat.

42.—(1) A person shall not sell or supply meat for human consumption, or for incorporation in a food for human consumption, unless the meat bears a health mark thereon in accordance with the provisions of—

( a ) section 41 of this Act, or

( b ) Regulations made under the Agricultural Produce (Fresh Meat) Acts, 1930 to 1988, or

( c ) Regulations made under the Pigs and Bacon Acts, 1935 to 1988, or

( d ) Council Directive No. 64/433/EEC of 26 June, 1964 (as amended)1. O.J. No. 121 of 29.7.19641, or Council Directive No. 72/462/EEC of 12 December, 1972 (as amended)2. O. J. No. L302 of 31.12.19722 or Council Directive No. 77/99/EEC of 21 December, 1976 (as amended)3. O.J. No. L26 of 31.1.19773.

(2) Subject to subsection (3) of this section, a person shall not have in his possession meat which is intended for human consumption unless the meat bears a health mark thereon in accordance with the provisions of—

( a ) section 41 of this Act, or

( b ) Regulations made under the Agricultural Produce (Fresh Meat) Acts, 1930 to 1988, or .

( c ) Regulations made under the Pigs and Bacon Acts, 1935 to 1988, or

( d ) Council Directive No. 64/433/EEC of 26 June, 1964 (as amended), or Council Directive No. 72/462/EEC of 12 December, 1972 (as amended), or Council Directive No. 77/99/EEC of 21 December, 1976 (as amended).

(3) Subsection (2) of this section shall not apply to—

( a ) meat which is in an abattoir and is awaiting the application of a health mark in accordance with this Act;

( b ) meat from an animal slaughtered in a place situate on a farm which is used for the occasional slaughter of—

(i) a pig which is maintained for farming purposes on such farm by its occupier, or

(ii) an animal which is so maintained and which has been injured

by accident and the slaughter of which is necessary to prevent its suffering,

and the meat from such pig or such injured animal is intended for consumption only by the residents on such farm;

( c ) meat which the person in whose possession it was found can establish was acquired by him in good faith and he did not know that it required to be marked with a health mark.

(4) Where meat is sold, supplied, possessed, exposed or kept for sale, it shall be presumed, until the contrary is proved, that the meat is sold, supplied, possessed, exposed or kept for sale, as the case may be, for human consumption.

(5) Any person who contravenes the provisions of this section shall be guilty of an offence.

(6) In a prosecution for an offence under this section, it shall be a defence to establish that the meat which is the subject of the prosecution was cut from a carcass which bore a health mark.

- SECT 43

Extension of powers of veterinary examiner within meaning of Agricultural Produce (Fresh Meat) Act, 1930, and Pigs and Bacon Act, 1935.

43.—(1) A veterinary examiner (within the meaning of the Agricultural Produce (Fresh Meat) Act, 1930) shall, in determining whether the carcass or offals of any animal presented to him, pursuant to that Act, for examination is or are unfit for human consumption, have regard to the provisions of veterinary examination Regulations and the unfitness for human consumption of any such carcass or any such offals, as the case may be, shall be determined in accordance with the provisions of veterinary examination Regulations, and the said Agricultural Produce (Fresh Meat) Act, 1930, shall be construed and have effect accordingly.

(2) A veterinary examiner (within the meaning of the Pigs and Bacon Act, 1935) shall, in determining whether any carcass or any bacon or any offals, which is or are found on any licensed premises (within the meaning of that Act) is or are unfit for human consumption, have regard to the provisions of veterinary examination Regulations and the unfitness for human consumption of any such carcass, any such bacon or any such offals, as the case may be, shall be determined in accordance with the provisions of veterinary examination Regulations, and the said Pigs and Bacon Act, 1935, shall be construed and have effect accordingly.

## - PART V

### - FEES

#### - SECT 44

Fees payable in respect of animals slaughtered in abattoir.

44.—(1) A fee in accordance with the provisions of this section shall be charged by and paid to a local authority in respect of each animal specified in subsection (2) of this section which is slaughtered at an abattoir which is situate within its functional area.

(2) A fee under this section shall be payable in respect of the animals and at the rate specified in the Table to this subsection.

#### TABLE

For cattle, a sum of £3.25 per head

For pigs, a sum of £0.75 per head

For sheep, a sum of £0.55 per head

(3) The Minister may, by Regulations, vary the Table to subsection (2) by the addition to or the deletion from the animals specified therein of such animals as he considers necessary or by the provision of a fee, or the variation of the fee specified therein, in respect of any animal.

(4) Whenever the Minister proposes to make Regulations pursuant to subsection (3) of this section, the Regulations shall not be made until a draft of the Regulations has been laid before each House of the Oireachtas and a resolution approving of the draft has been passed by each such House.

#### - SECT 45

Payment of fees.

45.—(1) A fee payable pursuant to section 44 of this Act shall be payable by the holder of the licence in respect of the abattoir concerned in accordance with this section.

(2) Every fee pursuant to section 44 of this Act shall fall due when an animal is slaughtered in an abattoir.

(3) The holder of the licence in respect of the abattoir concerned shall, within the period of 28 days after the last day of a month, send to the local authority the total amount of the fees that became payable during that month.

(4) Any person who contravenes the provisions of this section shall be guilty of an offence.

- SECT 46  
Recovery of fees.

46.—Fees due to a local authority may be recovered by that local authority as a simple contract debt in any court of competent jurisdiction.

**- PART VI**

- AMENDMENT OF CERTAIN ACTS

- SECT 47  
Amendment of Slaughter of Animals Act, 1935.

47.—(1) The Slaughter of Animals Act, 1935, is hereby amended by—

( a ) the deletion in section 2 (1) of the definition of "sanitary authority";

( b ) the substitution for "sanitary authority", whenever those words appear, of "local authority, within the meaning of the Abattoirs Act, 1988,"

( c ) the substitution for section 3 of the following section:

"3. This Act shall apply to and have effect in every county and county borough.",

and

( d ) the insertion after section 30 of the following section:

"Increase of fines.

30A. (1) The Minister may, by Regulations, vary fines. the maximum amount of a fine specified in any section of this Act.

(2) Whenever the Minister proposes to make Regulations pursuant to subsection (1) of this section, the Regulations shall not be made until a draft of the Regulations has been laid before each House of the Oireachtas and a resolution approving of the draft has been passed by each such House."

(2) A person convicted of an offence for which a penalty is provided in any section of the Slaughter of Animals Act, 1935, specified in column (2) of the Second Schedule to this Act at any reference number shall, in lieu of the penalty provided in any such section and specified in column (3) of that Schedule, be liable to the penalty specified in column (4) of that Schedule at that reference number, and that section shall be construed and have

effect accordingly.

- SECT 48

Amendment of Agricultural Produce (Fresh Meat) Act, 1930.

48.—(1) The Agricultural Produce (Fresh Meat) Act, 1930, is hereby amended by—

( a ) the substitution for section 9 of the following section:

"9. (1) There shall be paid to the Minister by the person applying for the registration of premises in any register kept in pursuance of this Part of this Act the fee of £500 and the payment of such fee shall be a condition precedent to the entertainment of the application by the Minister.

(2) The Minister may, by Regulations, vary the amount of the fee specified in subsection (1) of this section. ",

( b ) the substitution for section 11 (3) of the following subsection:

"(3) ( a ) There shall be paid to the Minister by every person applying for registration as a registered licensee under this section the fee of £10 and the payment of such fee shall be a condition precedent to the entertainment of the application by the Minister.

( b ) The Minister may, by Regulations, vary the amount of the fee specified in paragraph (a) of this subsection.", and

( c ) the insertion after section 51 of the following section:

"Increase of fines.

51A.—(1) The Minister may, by Regulations, vary the maximum amount of a fine specified in any section of this Act.

(2) Whenever the Minister proposes to make Regulations pursuant to subsection (1) of this section, the Regulations shall not be made until a draft of the Regulations has been laid before each House of the Oireachtas and a resolution approving of the draft has been passed by each such House."

(2) A person convicted of an offence for which a penalty is provided in any section of the Agricultural Produce (Fresh Meat) Act, 1930, specified in column (2) of the Third Schedule to this Act at any reference number shall, in lieu of the penalty provided in any such section and specified in column (3) of that Schedule, be liable to the penalty specified in column (4) of that Schedule at that reference number, and that section shall be construed and have effect accordingly.

- SECT 49

Amendment of Milk and Dairies Acts, 1935 and 1956.

49.—(1) The Milk and Dairies Act, 1935, is hereby amended by—

( a ) the substitution in section 6 for the definition of "sanitary authority" of the following definition:

"'local authority' means the council of a county or the corporation of a county borough and local authority, in relation to a sanitary district, means the local authority for the area in which such sanitary district is located;"

( b ) the substitution for "sanitary authority", wherever those words appear, of "local authority".

(2) The Milk and Dairies (Amendment) Act, 1956, is hereby amended by the substitution for "sanitary authority", wherever those words appear, of "local authority".

- SECT 50

Amendment of Pigs and Bacon Acts, 1935 to 1961.

50.—(1) The Pigs and Bacon Act, 1935, is hereby amended by—

( a ) the deletion in section 2 of the definition of "local sanitary authority",

( b ) the substitution for "local sanitary authority" and for local sanitary authorities", wherever those words appear, of "local authority within the meaning of the Abattoirs Act, 1988, ",

( c ) the substitution for section 25 of the following section:

"25. (1) Every applicant for a licence shall pay to the Minister in respect of each application a fee of £500, the payment of which shall be a condition preceding to the entertainment of such application the Minister.

(2) Whenever an application for a licence is refused by the Minister, the Minister may, if he thinks fit, repay to the applicant the fee paid under this section in respect of such application.

(3) The Minister may, by Regulations, vary the amount of the fee specified in subsection (1) of this section.", and

( d ) the insertion after section 4 of the following section:

"Increase of fines.

4A. (1) The Minister may, by Regulations, vary the maximum amount of a fine specified in any section of this Act.

(2) Whenever the Minister proposes to make Regulations pursuant to subsection (1) of this section, the Regulations shall not be made until a draft of the Regulations has been laid before each House of the Oireachtas and a resolution approving of the draft has been

passed by each such House."

(2) A person convicted of an offence for which a penalty is provided in any section of the Pigs and Bacon Act, 1935, specified in column (2) of the Fourth Schedule to this Act at any reference number shall, in lieu of the penalty provided in any such section and specified in column (3) of that Schedule, be liable to the penalty specified in column (4) of that Schedule at that reference number, and that section shall be construed and have effect accordingly.

(3) Section 10 (2) of the Pigs and Bacon Act, 1937, is hereby amended by the substitution for "be liable on summary conviction to a fine not exceeding one hundred pounds" of "be liable, on summary conviction to a fine not exceeding £1,000, or to imprisonment for a term not exceeding six months or, at the discretion of the Court, to both such fine and such imprisonment, or, on conviction on indictment, to a fine not exceeding £10,000, or to imprisonment for a term not exceeding three years or, at the discretion of the Court, to both such fine and such imprisonment."

- SECT 51

Amendment of Bovine Diseases (Levies) Act, 1979.

51.—(1) The Bovine Diseases (Levies) Act, 1979, is hereby amended by—

( a ) the substitution for section 2 (4) ( b ) of the following paragraph:

"( b ) any abattoir licensed under the Abattoirs Act, 1988, ",

( b ) the substitution for section 4 (4) ( c ) of the following paragraph:

"( c ) in case any such animal is not slaughtered in the manner described in paragraph (b) of this subsection and is slaughtered at an abattoir licensed under the Abattoirs Act, 1988, the person who, at the time the animal is slaughtered, is the holder of the abattoir licence for such abattoir issued under that Act.", and

( c ) the substitution for section 12 (3) ( d ) of the following paragraph:

"( d ) any person who, for the time being, is the holder of an abattoir licence under the Abattoirs Act, 1988. "

(2) The Bovine Diseases (Levies) Act, 1979, shall be construed and have effect as if references therein to an abattoir licensed under the Abattoirs Act, 1988, included a reference to a premises operating as an abattoir under permit of the Minister granted under section 17 of that Act.

- SECT 52

Amendment of C6ras Beostoic agus Feola Act, 1979.

52.—(1) The C6ras Beostoic agus Feola Act, 1979, is hereby amended by—

( a ) the substitution for section 28 ( 5 ) ( b ) of the following paragraph:

"( b ) any abattoir licensed under the Abattoirs Act, 1988,"

and

( b ) the substitution for section 29 ( 4 ) ( c ) of the following paragraph:

"( c ) in the case of livestock slaughtered at an abattoir licensed under the Abattoirs Act, 1988, the person who, at the time the livestock are slaughtered, is the holder of the abattoir licence for such abattoir issued under that Act."

(2) The C6ras Beostoic agus Feola Act, 1979, shall be construed and have effect as if references therein to an abattoir licensed under the Abattoirs Act, 1988, included a reference to a premises operating as an abattoir under permit of the Minister granted under section 17 of that Act.

## **- PART VII**

### **- MISCELLANEOUS**

#### **- SECT 53**

Authorised officers.

53.—(1) The Minister may appoint such and so many persons as he considers necessary to be authorised officers for the purposes of this Act.

(2) A local authority may appoint such and so many persons as it considers necessary to be authorised officers for the purposes of this Act.

(3) Every person who is appointed to be an authorised officer pursuant to this section shall be furnished with a certificate of his appointment and when exercising a power under this Act shall, if requested by any person thereby affected, produce such certificate for inspection by the person so affected.

#### **- SECT 54**

Power of authorised officer and Garda S6ochána.

54.—(1) An authorised officer or a member of the Garda S6ochána may—

( a ) enter, by force if necessary, and inspect any premises which is, or which he reasonably suspects is, being used as an abattoir or as a knackery;

( b ) enter, by force if necessary, and inspect any vehicle or container which is, or which he reasonably suspects is, being used in connection with an abattoir or with a knackery;

( c ) request the production of, or search for, and inspect any records kept in such premises, vehicle or container which relate to animals, fees, or the business of an abattoir or knackery, as the case may be;

( d ) take copies of, or remove, any records found on such premises, vehicle or container for examination or for the purposes of any proceedings under this Act.

(2) The powers conferred on an authorised officer by section 18 or 33 of this Act may be exercised only by a person who has, in his instrument of appointment, been authorised to exercise those powers.

(3) The holder of an abattoir licence or, as the case may be, a knackery licence, or any person employed by such holder shall, upon request by an authorised officer or a member of the Garda Síochána, as the case may be, produce all records kept on the premises and shall permit the authorised officer or the member of the Garda Síochána, to inspect, copy or, as the case may be, remove such records.

(4) The person in charge of any vehicle or container, which is, or which an authorised officer or a member of the Garda Síochána reasonably suspects is being, used in connection with an abattoir or a knackery, shall, on request by the authorised officer or the member of the Garda Síochána, as the case may be, produce all records kept on or in the vehicle or container, and shall permit the authorised officer or the member of the Garda Síochána to inspect, copy or, as the case may be, remove such records.

(5) An authorised officer or a member of the Garda Síochána, in the exercise of the powers conferred on him by subsection (1) of this section, may seize, detain and remove any meat intended for human consumption which he finds in an abattoir, knackery, vehicle or container and which—

( a ) does not bear a health mark, or

( b ) bears an unapproved health mark, or

( c ) has already been marked as unfit for human consumption, or

( d ) is otherwise unfit, or he reasonably suspects is unfit, for human consumption.

(6) Whenever an authorised officer or a member of the Garda

Síochána seizes, detains or removes any meat pursuant to subsection (5) of this section, he shall cause the meat to be examined by a veterinary inspector and, if the veterinary inspector declares that such meat is unfit for human consumption, the meat shall be marked and be destroyed or he otherwise disposed of in accordance with the provisions of veterinary examination Regulations.

(7) An authorised officer or a member of the Garda Síochána may enter any premises, other than an abattoir or a knackery, where meat is, or where he reasonably suspects meat is being, kept for sale for human consumption and he may seize, detain and remove such meat as he finds in such premises which—

( a ) does not bear a health mark, or

( b ) bears an unapproved health mark, or

( c ) has already been marked as unfit for human consumption, or

( d ) is otherwise unfit, or he reasonably suspects is unfit, for human consumption.

(8) Whenever an authorised officer or a member of the Garda Síochána seizes, detains or removes any meat pursuant to subsection (7) of this section, he shall cause the meat to be examined by a veterinary inspector and, if the veterinary inspector declares that such meat is unfit for human consumption, the meat shall be marked and be destroyed or be otherwise disposed of in accordance with the provisions of veterinary examination Regulations.

(9) Any person who obstructs or unreasonably delays an authorised officer or a member of the Garda Síochána in the exercise of his powers under this Act or who fails to facilitate an inspection of a premises, vehicle or container by an authorised officer or a member of the Garda Síochána shall be guilty of an offence.

- SECT 55

Officer responsible in case of body of persons.

55.—(1) The secretary or other officer acting as secretary for the time being of any body of persons (other than a local authority) shall be answerable in addition to the body for doing all such acts as are required to be done by the body under any of the provisions of either this Act or Regulations under this Act.

(2) Every such officer as aforesaid may from time to time retain out of any money coming into his hands as is sufficient to pay fees due under this Act by the body and shall be indemnified for all such payments made in pursuance of this section.

- SECT 56

Penalties.

56.—(1) A person guilty of an offence under this Act shall be liable—

( a ) on summary conviction to a fine not exceeding £1,000, or to imprisonment for a term not exceeding six months or, at the discretion of the Court, to both such fine and such imprisonment, or

( b ) on conviction on indictment, to a fine not exceeding £10,000, or to imprisonment for a term not exceeding three years or, at the discretion of the Court, to both such fine and such imprisonment.

(2) Where an offence under this Act is committed by a body corporate or by a person purporting to act on behalf of a body corporate or an unincorporated body of persons and is proved to have been committed with the consent or approval of, or to have been facilitated by any neglect on the part of, any person who, when the offence is committed, is a director, member of the committee of management or other controlling authority of the body concerned, or the manager, secretary or other officer of the body, that person shall also be deemed to have committed the offence and may be proceeded against and punished accordingly.

(3) The Minister may, by Regulations, vary the maximum amount of a fine specified in subsection (1) of this section.

(4) Where the Minister proposes to make Regulations pursuant to subsection (3) of this section, the Regulations shall not be made until a draft of the Regulations has been laid before each House of the Oireachtas and a resolution approving of the draft has been passed by each such House.

- SECT 57

Prosecution of offences.

57.—(1) Summary proceedings in relation to an offence under this Act may be brought and prosecuted by a local authority or by the Minister.

(2) Notwithstanding section 10 (4) of the Petty Sessions (Ireland) Act, 1851, summary proceedings for an offence under this Act may be instituted within one year from the date of the offence.

- SECT 58

Provisions relating to prosecutions.

58.—(1) Where, in a prosecution for any offence under this Act, a person claims that a licence exists in relation to the premises the subject of such prosecution, the onus of proving the existence of the licence and of its validity shall lie on the person making the claim.

(2) In a prosecution for any offence under this Act, it shall be presumed until the contrary is proved that any premises in which carcasses or parts of carcasses or offal or viscera of any animal, or dead animals or parts of dead animals, or slaughtering or

dressing equipment or instruments are found is, as the circumstances may require, an abattoir or a knackery.

- SECT 59

Obligation on holder of licence to keep records.

59.—(1) The holder of any licence under this Act shall, in accordance with such directions as may be given by the Minister or by the local authority, keep full and detailed records of all animals slaughtered or handled in the premises to which the licence relates.

(2) All records required to be kept pursuant to subsection (1) of this section shall be preserved for the period of three years after the record was made and, in any case where the holder of the licence has issued the record to any other person and retained a copy thereof, such copy shall be preserved for the said period of three years.

(3) Notwithstanding the foregoing provisions of this section, the holder of a licence need not preserve a record where—

( a ) the Minister has determined that such records are not required, or

( b ) such records have been disposed of pursuant to section 305 of the Companies Act, 1963.

(4) Any person who contravenes the provisions of this section shall be guilty of an offence.

- SECT 60

Returns by local authority.

60.—(1) Each local authority shall, as soon as may be, make to the Minister such returns on any matter that the Minister may require pursuant to this section.

(2) Every return made to the Minister pursuant to this section shall be in such form and made at such times as the Minister may determine.

(3) The Minister may require a local authority to make a return in relation to each abattoir and knackery which is situate in its functional area in respect of all or any of the following matters—

( a ) the number of slaughterings (including the classes of animals slaughtered) carried out at each such abattoir during such period as may be specified in the requirement;

( b ) the number of animals rejected for slaughter, and the amount (if any) of meat condemned as unfit for human consumption at each such abattoir during such period including the manner of the destruction or disposal of such meat;

( c ) the number of veterinary inspections at each such knackery carried out during such period as may be specified in the requirement;

( d ) the number of casualty or dead animals (including the class of animals concerned and, if known, the cause of casualty or death) at each such knackery during such period;

( e ) the manner of disposal during such period of casualty or dead animals or parts thereof from each such knackery;

( f ) such information regarding the operation of each such abattoir and knackery as the Minister considers necessary;

( g ) such other returns in relation to the operation, and staff employed in the operation, of this Act as the Minister considers necessary.

- SECT 61

Regulations in relation to premises used as abattoirs or knackeries.

61.—(1) The Minister may, by Regulations, specify requirements in relation to the siting, lay-out, accommodation and construction, water supply and sanitary facilities and equipment and appliances for premises which are, or are to be, used as abattoirs or knackeries.

(2) Regulations under this section may make different provisions in relation to different classes of animals, or in relation to different classes of premises, or in relation to premises used for different purposes.

(3) Regulations under this section may make provisions for exceptions to, and modifications of, the Regulations in relation to premises which were constructed, or were adapted for use as, or were used as, an abattoir or a knackery, as the case may be, before the date on which the Regulations come into operation.

- SECT 62

Cesser of bye-laws.

62.—(1) So much of any bye-laws made under any Act by the council of a county, corporation of a county or other borough, council of an urban district or commissioners of a town as relates to the operation of an abattoir or a knackery or to the inspection of meat shall cease to have effect on the day or days, as the case may be, on which corresponding Regulations under section 20, 34, 39, 40 or 61 of this Act come into operation.

(2) So much of any bye-laws made under any Act by the council of a county, the corporation of a county or other borough, the council of an urban district or the commissioners of a town as relates to the transport of meat shall cease to have effect on such day as the Minister may, by order, appoint.

(3) The Minister may, by order, amend or revoke an order made

under this section (including this subsection).

- SECT 63  
Regulations.

63.—(1) The Minister may make Regulations for prescribing any matter referred to in this Act as prescribed or to be prescribed or in relation to anything referred to in this Act as the subject of Regulations.

(2) Every order and Regulation made by the Minister under this Act, other than a Regulation made under section 9 (3), 24 (3), 44 (3), or 56 (3) of this Act, shall be laid before each House of the Oireachtas as soon as may be after it is made, and, if a resolution annulling the order or Regulation is passed by either such House within the next twenty-one days on which that House has sat after the order or Regulation is laid before it, the order or Regulation shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder.

(3) Every Regulation made by the Minister under this Act may contain such incidental, supplementary and consequential provisions as appear to the Minister to be necessary for the purpose of such Regulation.

- SECT 64  
Duty of local authority in relation to Act and Regulations.

64.—(1) A local authority shall comply with any direction which the Minister may from time to time give in relation to the exercise of its powers or the performance of its duties under this Act and the Regulations made by him pursuant to this Act.

(2) A local authority shall inform such persons at such time and in such form as the Minister may from time to time direct of the provisions of a Regulation made by him pursuant to this Act.

- SECT 65  
Service of notices.

65.—Where a notice is required or authorised by this Act to be given to a person, the notice shall be addressed to that person and may be given to him in any one of the following ways:

( a ) by delivering it to him,

( b ) by leaving it at the address at which he ordinarily resides or at his business address,

( c ) by sending it by post in a prepaid registered letter addressed to him at the address at which he ordinarily resides or at his business address.

- SECT 66  
Disposal of fees.

66.—(1) All fees received by the Minister under this Act shall be paid into or disposed of for the benefit of the Exchequer in such manner as the Minister for Finance may direct.

(2) The Public Offices Fees Act, 1879, shall not apply in respect of any fees payable under this Act.

- SECT 67

Non-application of Health Act, 1947, and Food Hygiene Regulations, 1950.

67.—Part V of the Health Act, 1947 (as amended), and the Food Hygiene Regulations, 1950 (S.I. No. 205 of 1950) (as amended), shall not apply to a premises licensed under this Act.

### Section 3

#### **FIRST SCHEDULE**

##### Enactments Repealed

##### PART I

Session and Chapter or Number and Year	Short Title	Extent of Repeal
10 & 11 Vict. c. 14	Markets and Fairs Clauses Act, 1847	Sections 17; 19.
10 & 11 Vict. c. 34	Towns Improvement Clauses Act, 1847	Sections 125; 126; 127; 128 (in so far as it relates to licensing and registration of slaughterhouses and knackers' yards); 129; 130; 134.
10 & 11 Vict. c. 89	Town Police Clauses Act, 1847	In section 28 the words "Every person who slaughters or dresses any cattle, or any part thereof, except in the case of any cattle over-driven which may have met with any accident, and which for the public safety or other reasonable cause ought to be killed on the spot:".
12 & 13 Vict. c. 97	Dublin Improvement Act, 1849	Sections 86; 89; Schedule (D.) (in so far as it relates to slaughterhouse charges).
14 & 15 Vict. c. 92	Summary Jurisdiction (Ireland) Act, 1851	Paragraph 4 of section 10.
17 & 18 Vict. c. 103	Towns Improvement (Ireland) Act, 1854	Section 47; In section 72 the words "Every person who slaughters or dresses any cattle, or any part thereof, except in the case of any cattle over-driven which may have met with any accident, and which for the public safety or other reasonable cause ought to be killed on the spot, shall be liable to a fine not exceeding ten shillings:".
24 & 25 Vict. c. ccxxxviii	Dublin General Markets Act, 1861	Sections 36; 42; Schedule (E.).
24 & 25 Vict. c. xlix	Kilkenny Markets Act, 1861	Sections 29; 34; Schedule (E.).
25 & 26 Vict. c. clv	Dublin Cattle Market Act, 1862	Sections 32; 36; Schedule (C.).
27 & 28 Vict. c. ccv	Dublin Improvement Acts Amendment Act, 1864	Sections 12; 14; 15; 16.
30 & 31 Vict. c. cxxxiv	Dalkey Township Act, 1867	Section 32; Schedule F.
32 & 33 Vict. c. cxlvii	Sligo Borough Improvement Act,	

1869Section 124 (3); (Part V.) of the Fourth Schedule41 & 42 Vict. c.52Public Health (Ireland) Act, 1878Sections 105 (other than the words "Any urban authority may make bye laws for the decent and seemly conveyance of meat through the public thoroughfares".); 106.53 & 54 Vict. c. 59Public Health Acts Amendment Act, 1890Sections 29 to 31.53 & 54 Vict. c. ccxlvDublin Corporation Act, 1890Section 88; the Third Schedule.No. 45 of 1935Slaughter of Animals Act, 1935Sections 4 and 10 (in so far as they relate to licensing and registration of slaughterhouses and knackers' yards); section 15 (4).No. 25 of 1979Córas Beostoic agus Feola Act, 1979 Sections 28 (5) ( c ); 29 (4) ( a ).No. 26 of 1979Bovine Diseases (Levies) Act, 1979Sections 2 (4) ( c ); 4 (4) ( a ); 12 (3) ( c ).

## PART II

Session and Chapter or Number and Year Short Title Extent of Repeal10 & 11 Vict. c. 14 Markets and Fairs Clauses Act, 1847Sections 15; 20; in section 42, the words "For inspection of the slaughterhouses, and for keeping the same in a cleanly and proper state, and for removing filth and refuse at least once in every twenty-four hours, and for requiring that they be provided with a sufficient supply of water, and preventing the exercise of cruelty therein:" and "For preventing the sale or exposure for sale of unwholesome provisions in the market or fair:".10 & 11 Vict. c. 34 Towns Improvement Clauses Act, 1847Sections 128; 131.12 & 13 Vict. c. 97 Dublin Improvement Act, 1849Sections 76; 77.14 & 15 Vict. c. 92 Summary Jurisdiction (Ireland) Act, 1851Paragraph 2 of section 7.15 & 16 Vict. c. cxliiiCork Improvement Act, 1852Sections 109; 110.16 & 17 Vict. c. cxcivLimerick Improvement Act, 1853Section 70.27 & 28 Vict. c. cccvDublin Improvement Acts Amendment Act, 1864Sections 13; 17; 18.53 & 54 Vict. c. ccxlvDublin Corporation Act, 1890Section 65.1 & 2 Geo. 5 c. 12 Public Health (Ireland) Act, 1911The whole Act.1 & 2 Geo. 5 c. 27 Protection of Animals Act, 1911Section 5; First Schedule.No. 45 of 1935 Slaughter of Animals Act. 1935Section 4 (in so far as it relates to the inspection of meat); section 10.

## PART III

Session and Chapter or Number and YearShort Title Extent of Repeal41 & 42 Vict. c. 52 Public Health (Ireland) Act, 1878Section 105.53 & 54 Vict. c. ccxlvDublin Corporation Act, 1890Section 64.No. 45 of 1935 Slaughter of Animals Act, 1935Section 4.

Section 47.

***SECOND SCHEDULE***

Increase of Penalties

SLAUGHTER OF ANIMALS ACT, 1935

Ref. No. (1)Sections of Slaughter of Animals Act, 1935

(2)

Penalty

(3)

Increased Penalty

(4)1.9 (3) a fine not exceeding £5 a fine not exceeding £5002.12  
(2), 13 (2), 20 (3)a fine not exceeding £10a fine not exceeding  
£500.3.14 (2), 15 (3) in the case of a first offence, a fine not  
exceeding £10 and, in the case of a second or a subsequent  
offence, a fine not exceeding £25a fine not exceeding £500.4.19 (2),  
28 (3) ( d ) in the case of a first offence, a fine not  
exceeding £10 and, in the case of a second or any subsequent  
offence, a fine not exceeding £25 or, at the discretion of the  
Court, imprisonment for any term not exceeding three monthsa fine  
not exceeding £500 or, at the discretion of the Court, imprisonment  
for any term not exceeding three months.5.29 (2) a fine not  
exceeding £5 together with a further fine not exceeding £1 for  
every day during which such failure or neglect is continueda fine  
not exceeding £500.6.30a fine not exceeding £50 or, at the  
discretion of the Court, imprisonment for any term not exceeding six  
months a fine not exceeding £500 or, at the discretion of the Court,  
imprisonment for any term not exceeding six months

Section 48

**THIRD SCHEDULE**

Increase of Penalties

AGRICULTURAL PRODUCE (FRESH MEAT) ACT, 1930

Ref. No.

(1)Sections of Agricultural Produce (Fresh Meat) Act, 1930

(2)

Penalty

(3)

### Increased Penalty

(4)1. 18 (2) in the case of a first offence, a fine not exceeding £10 and, in the case of a second or any subsequent offence, a fine not exceeding £20 a fine not exceeding £500 in the case of a first offence and a fine not exceeding £1,000 in the case of a second or any subsequent offence.2. 19 (5), 24 (2), 43 (4) a fine not exceeding £20 on summary conviction, a fine not exceeding £1,000, or imprisonment for a term not exceeding six months, or, at the discretion of the Court, both such fine and such imprisonment, or on conviction on indictment, a fine not exceeding £10,000, or imprisonment for a term not exceeding three years, or, at the discretion of the Court, both such fine and such imprisonment.3. 22 (5) a fine not exceeding £5 on summary conviction, a fine not exceeding £1,000, or imprisonment for a term not exceeding six months, or, at the discretion of the Court, both such fine and such imprisonment, or on conviction on indictment, a fine not exceeding £10,000, or imprisonment for a term not exceeding three years, or, at the discretion of the Court, both such fine and such imprisonment.4. 22 (9) a fine not exceeding £20 and a further fine not exceeding £5 for every day on which the default continues on summary conviction, a fine not exceeding £1,000, or imprisonment for a term not exceeding six months, or, at the discretion of the Court, both such fine and such imprisonment, or on conviction on indictment, a fine not exceeding £10,000, or Imprisonment for a term not exceeding three years, or, at the discretion of the Court, both such fine and such imprisonment.5. 37(3) in the case of a first offence a fine not exceeding £20 and in the case of a second or any subsequent offence, a fine not exceeding £50 on summary conviction, a fine not exceeding £1,000, or imprisonment for a term not exceeding six months, or, at the discretion of the Court, both such fine and such imprisonment, or on conviction on indictment, a fine not exceeding £10,000, or imprisonment for a term not exceeding three years, or, at the discretion of the Court, both such fine and such imprisonment.6. 40 (9), 44 (5) in the case of a first offence, a fine not exceeding £20 and in the case of a second or any subsequent offence, a fine not exceeding £50 or, at the discretion of the Court, imprisonment for any term not exceeding six months or both such fine and such imprisonment on summary conviction, a fine not exceeding £1,000, or imprisonment for a term not exceeding six months, or, at the discretion of the Court, both such fine and such imprisonment, or on conviction on indictment, a fine not exceeding £10,000, or imprisonment for a term not exceeding three years, or, at the discretion of the Court, both such fine and such imprisonment.7. 45 (3) in the case of a first offence, a penalty not exceeding £5 and, in the case of a second or any subsequent offence, a penalty not exceeding £10 on summary conviction, a fine not exceeding £1,000, or imprisonment for a term not exceeding six months, or, at the discretion of the Court, both such fine and such imprisonment, or on conviction on indictment, a fine not preceding £10,000, or imprisonment for a term not exceeding three years, or, at the discretion of the Court, both such fine and such imprisonment.8. 48(4) a fine not exceeding £25 or, at the

discretion of the Court, the Court, imprisonment for any term not exceeding three months on summary conviction, a fine not exceeding £1,000, or imprisonment for a term not exceeding six months, or, at the discretion of the Court, both such fine and such imprisonment, or on conviction on indictment, a fine not exceeding £10,000, or imprisonment for a term not exceeding three years, or, at the discretion of the Court, both such fine and such imprisonment.

Section 50

#### ***FOURTH SCHEDULE***

Increase of Penalties

PIGS AND BACON ACT, 1935

Ref. No. (1) Sections of Pigs and Bacon Act, 1935

(2) Penalty

(3) Increased Penalty

(4) 1. 32 (2) in the case of a first offence, a fine not exceeding £10, and, in the case of a second or any subsequent offence, a fine not exceeding £25 in the case of a first offence, a fine not exceeding £500, and, in the case of a second or any subsequent offence, a fine not exceeding £1,000. 2. 33 (3), 38 (2), 64 (2) a fine not exceeding £20 on summary conviction, a fine not exceeding £1,000 or imprisonment for a term not exceeding six months, or, at the discretion of the Court, both such fine and such imprisonment, or on conviction on indictment, a fine not exceeding £10,000, or imprisonment for a term not exceeding three years, or, at the discretion of the Court, both such fine and such imprisonment. 3. 36(5) a fine not exceeding £5 on summary conviction, a fine not exceeding £1,000 or imprisonment for a term not exceeding six months, or, at the discretion of the Court, both such fine and such imprisonment, or on conviction on indictment, a fine not exceeding £10,000, or imprisonment for a term not exceeding three years, or, at the discretion of the Court, both such fine and such imprisonment. 4. 36(9) a fine not exceeding £20 and a further fine not exceeding £5 for every day during which the offence is continued on summary conviction, a fine not exceeding £1,000 or imprisonment for a term not exceeding six months, or, at the discretion of the Court, both such fine and such imprisonment, or on conviction on indictment, a fine not exceeding £10,000, or imprisonment for a term not exceeding three years, or, at the discretion of the Court, both such fine and such imprisonment. 5. 40 (3) a fine not exceeding £5 and, in the case of a continuing offence, a further fine not exceeding £5 in respect of each day during which the offence is continued on summary conviction, a fine not exceeding £1,000 or imprisonment for a term not exceeding six months, or, at the discretion of the Court, both such fine and such imprisonment, or on conviction on indictment, a fine not exceeding £10,000, or imprisonment for a term not exceeding three years, or, at the discretion of the Court, both such fine and such

imprisonment.6. 58 (2) in the case of a first offence under this section, a fine not exceeding £20, or, in the case of a second or any subsequent offence under this section, a fine not exceeding £50, or imprisonment for any term not exceeding six months on summary conviction, a fine not exceeding £1,000 or imprisonment for a term not exceeding six months, or, at the discretion of the Court, both such fine and such imprisonment, or on conviction on indictment, a fine not exceeding £10,000, or imprisonment for a term not exceeding three years, or, at the discretion of the Court, both such fine and such imprisonment.7. 65 (3) a fine not exceeding £100 on summary conviction, a fine not exceeding £1,000 or imprisonment for a term not exceeding six months, or, at the discretion of the Court, both such fine and such imprisonment, or on conviction on indictment, a fine not exceeding £10,000, or imprisonment for a term not exceeding three years, or, at the discretion of this Court, both such fine and such imprisonment.8. 66(4) in the case of a first offence under this section, a fine not exceeding £20, and, in the case of a second or any subsequent offence under this section, a fine not exceeding £50 or, at the discretion of the Court, imprisonment for any term not exceeding six months or both such fine and such imprisonment on summary conviction, a fine not exceeding £1,000 or imprisonment for a term not exceeding six months, or, at the discretion of the Court, both such fine and such imprisonment, or on conviction on indictment, a fine not exceeding £10,000, or imprisonment for a term not exceeding three years, or, at the discretion of the Court, both such fine and such imprisonment.9. 68 (3) in the case of a first offence, a fine not exceeding £5 and, in the case of a second or any subsequent offence, a fine not exceeding £10 on summary conviction, a fine not exceeding £1,000 or imprisonment for a term not exceeding six months, or, at the discretion of the Court, both such fine and such imprisonment, or on conviction on indictment, a fine not exceeding £10,000, or imprisonment for a term not exceeding three years, or, at the discretion of the Court, both such fine and such imprisonment.10. 70 (2) a fine not exceeding £50 in the case of a first offence, a fine not exceeding £500, and, in the case of a second or an subsequent offence, a fine not exceeding £1,000.11. 71 (3) a fine not exceeding £25 or, at the discretion of the Court, imprisonment for any term not exceeding three months on summary conviction, a fine not exceeding £1,000 or imprisonment for a term not exceeding six months, or, at the discretion of the Court, both such fine and such imprisonment, or on conviction on indictment, a fine not exceeding £10,000, or imprisonment for a term not exceeding three years, or, at the discretion of the Court, both such fine and such imprisonment.