



Isle of Man

Ellan Vannin

AT 6 of 1936

THE SLAUGHTER OF ANIMALS ACT 1936



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**Isle of Man***Ellan Vannin*

THE SLAUGHTER OF ANIMALS ACT 1936

Received Royal Assent: 30 April 1936
Passed: 9 June 1936
Commenced: 9 June 1936

AN ACT to provide for the humane and scientific slaughter of animals; and for purposes connected therewith.

1 Short title

This Act may be cited as “The Slaughter of Animals Act, 1936”.

2 and 3 [Repealed]¹

4 Provisions as to slaughtermen

The Schedule to this Act shall have effect with respect to the licensing of slaughtermen.²

5 to 12 [Repealed]³

SCHEDULE

LICENSING OF SLAUGHTERMEN⁴

1. Licensing of slaughtermen

(1) No person shall carry out at a slaughterhouse or knacker's yard any of the operations specified in sub-paragraph (2) unless he is the holder of a licence under paragraph 2 specifying that operation.

(2) The operations mentioned in sub-paragraph (1) for which a licence is required are any of the following —

- (a) the restraint of any animal for the purpose of stunning, slaughtering or killing that animal;
- (b) the stunning of any animal;
- (c) the slaughter of any animal;
- (d) the killing of any animal;
- (e) the pithing of any stunned animal;
- (f) the assessment of effective stunning, pithing or killing of any animal by any person whose duty it is to make such an assessment;
- (g) the shackling or hoisting of any stunned animal; and
- (h) the bleeding of any animal which is not dead.

2. Licences

(1) Subject to the following provisions of this paragraph, where a person applies to the Department in writing for a licence to carry out any of the operations specified in paragraph 1(2), the Department shall grant him such a licence.

(2) The Department shall not grant a licence to carry out any of the operations specified in paragraph 1(2) unless —

- (a) it is satisfied, by a certificate of a veterinary surgeon nominated for the purpose by the Department, that the applicant —
 - (i) is competent to carry out all the operations mentioned in paragraph 1(2) in respect of which he is applying for a licence without causing avoidable pain, excitement or suffering to any animal; and
 - (ii) has sufficient knowledge of the provisions of all the relevant legislation and of any relevant code of practice issued by the Department relating to those operations;
- (b) it is satisfied that the applicant —
 - (i) is a fit and proper person to hold a licence;

- (ii) is not below the age of 18; and
 - (iii) has provided any information required under subparagraph (3); and
 - (c) such fee (if any) as is prescribed under Part 5, Division 4 (general fee power) of the *Interpretation Act 2015* has been paid in respect of the application.⁵
- (3) The applicant for a licence shall state in his application —
- (a) if he has previously been refused a licence, or a licence or permit to slaughter animals in the Island or any part of the United Kingdom;
 - (b) if he has had any such licence or permit revoked or suspended by a public authority in the Island or any part of the United Kingdom, and if so, by which authority; and
 - (c) if he has been convicted of any offence mentioned in subparagraph (4)(b).
- (4) The Department may refuse to grant a licence if the applicant has been convicted of an offence under —
- (a) this Act;
 - (b) regulations made under paragraph 3 or 7 of Schedule 2 (slaughterhouses and knackers' yards) to the *Food Act 1996*;
 - (c) any order made under the *Animal Health Act 1996* regulating the transport of animals; or
 - (d) any other statutory provision concerning the welfare of animals.
- (5) A licence shall specify the matters which it covers, namely —
- (a) the relevant operations mentioned in paragraph 1(2);
 - (b) the species of animals; and
 - (c) the relevant equipment or instruments.
- (6) A licence shall remain in force for such period (not exceeding 3 years) as is specified in it.

3. Amendment of licences

(1) Where the holder of a licence wishes it to be amended in respect of any of the matters set out in paragraph 2(5), he may apply to the Department in writing for such amendment.

(2) Paragraph 2(1) to (4) applies with any necessary modifications to an application for the amendment of a licence as it applies to an application for a licence.

4. Suspension and revocation of licences

(1) The Department may suspend or revoke a licence if —

- (a) it is satisfied that the holder of the licence is no longer a fit and proper person to hold it;
- (b) it is satisfied that the holder of the licence is not, or is no longer, competent to carry out the operations which the licence authorises; or
- (c) the holder has been convicted of an offence under any of the provisions specified in paragraph 2(4).

5. Appeals

(1) Where the Department —

- (a) refuses to grant or amend a licence; or
- (b) suspends or revokes a licence;

it shall, as soon as reasonably practicable, give to the applicant or holder of the licence, as the case may be, notice in writing of its reasons for the refusal, suspension or revocation.

(2) Any person to whom a notice under sub-paragraph (1) is given may appeal to the High Bailiff against the refusal, suspension or revocation.

(3) Sections 59 and 60 of the *Local Government Act 1985* apply to an appeal under sub-paragraph (2) with the substitution, for references to a local authority, of references to the Department.

6. Offences

(1) Any person who —

- (a) contravenes paragraph 1, or
- (b) in an application for a licence or the amendment of a licence, makes any statement which he knows to be false in a material particular or recklessly makes any statement which is false in a material particular,

is guilty of an offence and liable on summary conviction to custody for a term not exceeding 6 months or to a fine not exceeding £5,000, or to both.

(2) In proceedings for an offence under sub-paragraph (1)(b) it shall be a defence for the person accused to show that, by reason of an accident or emergency, the contravention was necessary for preventing injury or suffering to any person or animal.

7. Interpretation

In this Schedule —

“**animal**” means any of the following, namely cattle, sheep, goats and swine;

“**the Department**” means the Department of Environment, Food and Agriculture;⁶

“**killing**”, in relation to an animal, means causing the death of the animal by any process other than slaughter;

“**knacker’s yard**” and “**slaughterhouse**” have the same meanings as in the *Food Act 1996*;

“**licence**” means a licence under paragraph 2;

“**pithing**”, in relation to an animal, means the destruction of its brain tissue after stunning to the extent that irreversible loss of consciousness is ensured;

“**slaughter**”, in relation to an animal, means causing the death of the animal by bleeding;

“**stunning**”, in relation to an animal, means any process which causes immediate loss of consciousness which lasts until death.

ENDNOTES**Table of Endnote References**

¹ Ss 2 and 3 repealed by SD90/98.

² S 4 substituted by SD90/98.

³ Ss 5 to 12 repealed by SD90/98.

⁴ Sch substituted by SD90/98.

⁵ Para (c) amended by Interpretation Act 2015 s 106.

⁶ Definition of “the Department” amended by SD155/10 Sch 3.