

STATES OF ALDERNEY

ORDINANCE OF THE STATES

Made 3rd April, 1991
Coming into force 3rd April, 1991

THE SLAUGHTERHOUSES (ALDERNEY)
ORDINANCE, 1991

THE STATES, in pursuance of their Resolution of the 3rd day of April, 1990 and in exercise of the powers conferred upon them by section 46(2) of the Government of Alderney Law, 1987(a), hereby order:-

Prohibition on slaughter without licence.

- 1.(1) No person shall –
- (a) slaughter, or cause or permit to be slaughtered, any animal for human consumption on any premises; or
 - (b) use, or cause or permit to be used, any premises as a slaughterhouse.

except under and in accordance with the conditions of a licence under section 3(1) authorising the use of these premises as a slaughterhouse, or unless the premises are the States Slaughterhouse.

(2) A person who contravenes subsection (1) shall be guilty of an offence and liable on conviction to imprisonment for a term not exceeding one month or to a fine not exceeding level 4 on the uniform scale, or to both.

Grant of licences.

2.(1) Licences under this Ordinance shall be granted by the Committee subject to and in accordance with the provisions of this Ordinance.

(2) A licence is not necessary in respect of the use of the States Slaughterhouse.

Procedure on application.

3.(1) Where the Committee receives an application for the grant of renewal of a licence authorising the use of premises as a slaughterhouse, then, subject to the provisions of this section and to sections 4 and 5 below, the Committee -

- (a) shall grant or, as the case may be, renew the licence in accordance with the application if they are satisfied as to the matters mentioned in subsection (2); or
- (b) shall refuse to grant or, as the case may be, renew the licence if they are not so satisfied.

(2) The matters referred to in subsection (1) above are -

- (a) that Regulations made under section 4 have been and will be complied with in relation to those premises;
- (b) in the case of an application for the grant of a licence, the need for a slaughterhouse, the suitability for use as a slaughterhouse of the premises and the character, antecedents and experience of the applicant; and
- (c) in the case of an application for the renewal of a licence, the applicant's record of compliance with any conditions attached to a previous licence in accordance with section 5(2) of this Ordinance.

Power to make Regulations.

4.(1) The Committee may make such Regulations as appear to it to be necessary or expedient -

- (a) for ensuring that slaughterhouses are kept in a sanitary condition and are properly managed;
- (b) for requiring a person keeping a slaughterhouse to maintain, and produce when required, such records relating to animals brought into the slaughterhouse and their disposal as are specified in the Regulations;
- (c) for securing humane conditions and practices in connection with slaughter, including the construction, lay-out and equipment of slaughterhouses and the inspection, confinement and treatment of animals awaiting slaughter;
- (d) for the disposal of any animal or part of an animal in the manner required in the interests of hygiene or public health;
- (e) for the fixing of fees in relation to any of the committees functions under or by virtue of this Ordinance.

(2) A person who contravenes any of the Regulations made under this section shall be guilty of an offence and liable on conviction to imprisonment for a term of three months or to a fine not exceeding level 4 on the uniform scale or to both.

(3) Where a person convicted in respect of an offence under any Regulations under this section is the holder of a licence in respect of the premises where the offence was committed, the court may, in addition to any other punishment, cancel the licence.

(4) For the purposes of this section "slaughterhouse" includes the States Slaughterhouse.

Validity of licences and procedures for appeal

5.(1) Licenses shall expire on the 31st of December of the year in which they were granted or renewed.

(2) The Committee may attach conditions to any licence granted or renewed under this Ordinance, provided that any conditions so attached shall be limited to matters upon which the Committee may make Regulations under section 4(1).

(3) The Committee shall prescribe by Order the form of application for the grant or renewal of a licence, the fees to accompany the application and the form of licence.

(4) If the Committee refuse to grant or renew a licence they shall forthwith give notice to the applicant of their decision and of the grounds on which that decision was based.

(5) A person aggrieved by the Committee's decision to refuse to grant or renew a licence or to attach conditions thereto ("the appellant") may appeal to the Court within 14 days of the date of the notification of the decision on the grounds that the decision of the Committee was ultra vires or unreasonable.

(6) Any appeal under this section shall be instituted by way of summons which shall set out the facts upon which the appellant relies and which shall be served upon the President of the Committee.

(7) On any appeal under this section the burden of satisfying the Court that the decision of the Committee was ultra vires or unreasonable shall be discharged by the appellant and the Committee shall have the final right of reply.

Powers of entry.

6.(1) Subject to the provisions of this section a person authorised in writing by the Committee may, on producing, if so required, some duly authenticated document showing his authority, enter any slaughterhouse at all reasonable hours -

(a) for the purpose of ascertaining whether there is or has been on, or in connection with, the premises any contravention of

- this Ordinance, of conditions attached under section 5(2) or of Regulations under section 4(1), and
- (b) generally for the performance by the Committee of their functions under this Ordinance or under any such Regulations.

(2) A person who wilfully obstructs any person acting in the execution of this section shall be guilty of an offence and liable on conviction to imprisonment for a term not exceeding three months or to a fine not exceeding level 4 on the uniform scale or to both.

Offences by bodies corporate.

7. Where an offence under this Ordinance which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Aiders and abettors.

8. A person who knowingly and wilfully aids, abets, counsels, procures or commands the execution of an offence punishable under this Ordinance shall be liable to be dealt with and punished as a principal offender.

Interpretation.

9. In this Ordinance, unless the context otherwise requires -

“animal” does not include bird or fish;

“the Committee” means the States Agricultural Committee or such like body as the States may prescribe by Resolution;

“the Court” means the Court of Alderney;

“slaughterhouse” means a place for slaughtering animals whose flesh is intended for sale for human consumption, and slaughtering cattle for any purpose and includes any place available in connection therewith for the confinement of animals while awaiting slaughter there or for keeping or subjecting to any treatment or process, products of the slaughtering of animals there.

Citation.

10. This Ordinance may be cited as the Slaughterhouses (Alderney) Ordinance, 1990