



Jersey

**FOOD (REGISTRATION OF PREMISES)
(JERSEY) ORDER 2001**

Revised Edition

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Jersey

FOOD (REGISTRATION OF PREMISES) (JERSEY) ORDER 2001

Arrangement

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Jersey

FOOD (REGISTRATION OF PREMISES) (JERSEY) ORDER 2001¹

THE HEALTH AND SOCIAL SERVICES COMMITTEE, in pursuance of Articles 19 and 58 of the Food Safety (Jersey) Law 1966,² orders as follows –

Commencement [[see endnotes](#)]

1 Interpretation

(1) In this Order, unless the context otherwise requires –

“domestic premises” means a dwelling house or other building used principally, but not exclusively, as a dwelling, and its adjoining land;

“occupier”, in relation to food premises, means the person who has day to day overall responsibility for the operation of the food business from those premises;

“register” means the register of food premises maintained by the Minister under Article 2;

“registered” means entered in the register;

“sale” includes possession, offer or exposure for sale;

“supply” means, in relation to any food, to give it away in the course of any trade or business, and the possession, preparation, storage, offer or exposure of food for such supply and serving by way of supply;

“voluntary organisation” means a body the activities of which are carried on otherwise than for profit, but does not include any body exercising the functions of the States or any Minister or any parish.

(2) In this Order a reference to the operation of a food business from any premises shall include the operation of a food business from any mobile stall or vehicle which is ordinarily stored or housed at such premises.

2 Registration of food premises

- (1) The Minister shall establish and maintain a register of food premises in Jersey in accordance with this Order, by reference to the trading name of the food business operating from such premises and the type or description of those premises.
- (2) All food premises shall be registered unless they are exempted by Article 6.
- (3) The Minister shall, on request –
 - (a) allow the occupier of food premises a reasonable opportunity to inspect the entry on the register relating to the occupier's food premises; and
 - (b) give or send such occupier a copy of such entry.

3 Prohibition on use of unregistered food premises

A person shall not operate or permit the operation of a food business from any food premises required to be registered under this Order unless –

- (a) those premises have been registered in accordance with Article 2; or
- (b) an application for those premises to be so registered has been made in accordance with Article 4 at least 28 days before the first day of such use.

4 Applications for registration

- (1) The occupier of food premises required to be registered in accordance with this Order shall apply for such registration by means of the form set out in Schedule 1, and that form shall be completed and signed by or on behalf of the person making it.
- (2) Within 28 days of receipt of an application under paragraph (1) the Minister shall cause the premises concerned to be registered in accordance with Article 2.

5 Changes in particulars and alterations to the register

- (1) Where there has been or is proposed to be a change in –
 - (a) the type or description of food business operating from food premises required to be registered in accordance with this Order; or
 - (b) the occupier of such premises,the occupier, or the new occupier as the case may be, shall, no later than 28 days after the date of such change, supply the Minister with details of any changes in the particulars set out in the application for the premises to be registered under Article 4.
- (2) Where an application has been made to register food premises in accordance with this Order, the occupier of those premises shall supply the Minister with particulars of any change in the trading name of the food business operating from the premises no later than 28 days after the date of such change.

- (3) The Minister shall make such alterations to the register of food premises as are necessary to reflect any particulars supplied in accordance with paragraph (1) or (2).
- (4) Where no person is or is intending to operate a food business from premises registered under this Order the Minister shall remove those premises from the register.

6 Exemptions from requirement to register

The food premises set out in Schedule 2 shall be exempt from the requirement to register.

7 Offences

- (1) A person who contravenes Article 3 shall be guilty of an offence and liable to a fine not exceeding level 4 on the standard scale.
- (2) A person who contravenes Article 5(1) or (2) shall be guilty of an offence and liable to a fine not exceeding level 3 on the standard scale.
- (3) A person who for any purposes connected with this Order furnishes information which the person knows to be false shall be guilty of an offence and liable to a fine not exceeding level 4 on the standard scale.

8 Citation

This Order may be cited as the Food (Registration of Premises) (Jersey) Order 2001.

SCHEDULE 1

(Article 4(1))

FORM OF APPLICATION FOR REGISTRATION OF FOOD PREMISES

1. Address of premises

.....

(or address at which mobile stall or vehicle is ordinarily kept)

Post code:..... Telephone:.....

2. Name of food business

.....

(trading name)

3. Type of premises. Please tick ALL the boxes that apply

Farm/small holding	<input type="checkbox"/>	Staff restaurant/canteen/kitchen	<input type="checkbox"/>
Food/manufacturing/processing/packing	<input type="checkbox"/>	School/nursery/playgroup	<input type="checkbox"/>
Slaughterer	<input type="checkbox"/>	Catering	<input type="checkbox"/>
Importer	<input type="checkbox"/>	Hotel/guest house	<input type="checkbox"/>
Wholesale/cash and carry	<input type="checkbox"/>	Domestic premises used for a food business	<input type="checkbox"/>
Distribution/warehousing	<input type="checkbox"/>	Premises used by a number of businesses	<input type="checkbox"/>
Retailer	<input type="checkbox"/>	Mobile stall or vehicle	<input type="checkbox"/>
Market	<input type="checkbox"/>	Other: please give details	
Restaurant/I/snack bar/public house	<input type="checkbox"/>		

4. Does your business handle or involve any of the following? Please tick ALL the boxes that apply

Chilled foods	<input type="checkbox"/>	Sweet confectionery/ice cream	<input type="checkbox"/>
Frozen foods	<input type="checkbox"/>	Alcoholic drinks	<input type="checkbox"/>
Fruit and vegetables	<input type="checkbox"/>	Vacuum packing	<input type="checkbox"/>
Fish/fish products	<input type="checkbox"/>	Bottling and other packing	<input type="checkbox"/>
Meat/meat products (including poultry)	<input type="checkbox"/>	Table meals/snacks	<input type="checkbox"/>
Dairy products	<input type="checkbox"/>	Accommodation	<input type="checkbox"/>
Bakery products	<input type="checkbox"/>	Delivery service	<input type="checkbox"/>
Takeaway foods	<input type="checkbox"/>	Bulk storage	<input type="checkbox"/>
Eggs	<input type="checkbox"/>	Use of private water supply	<input type="checkbox"/>
Sandwiches	<input type="checkbox"/>	Other: please give details	<input type="checkbox"/>

5. Are vehicles or ships used for transporting food kept at or used from the premises? YES/NO	Are vehicles, stalls or ships used for preparing or selling food, kept at or used from the premises? YES/NO	Number of vehicles, stalls or ships kept at or used from the premises, and used for preparing, selling or transporting food
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6. Name(s) of occupier(s) of food business

.....

Address of business head office or registered office
(if different from address of premises)

.....
.....
.....

Post code

7. If this is a new business the date you intend to open

.....
(28 days notice is required)

8. If this is a seasonal business the period during which you intend to be open each year

.....

The completed form should be sent to:

ENVIRONMENTAL HEALTH
DEPARTMENT

PUBLIC HEALTH SERVICES

LE BAS CENTRE

ST. SAVIOUR'S ROAD

ST. HELIER

JERSEY JE1 4HR

It is an offence to give false or incomplete information

Signature
.....

Date
.....

Name
.....

(BLOCK CAPITALS)

Position in company/business

SCHEDULE 2

(Article 6)

PREMISES EXEMPT FROM REQUIREMENT TO REGISTER

1. Premises not used for the purposes of one or more food businesses (whether, in the case of use by more than one such business, they are carried on by the same or different persons) for more than 7 days, whether consecutive or not, in any 8 consecutive weeks.
2. Premises at which the only commercial operations carried out in relation to food or food sources are one or more of the following:
 - (a) the taking of fish for food, or the sale (other than a sale by retail) of food from fish taken there;
 - (b) the harvesting of food in the course of horticulture, viticulture or arable farming, or –
 - (i) the cleaning of food harvested there,
 - (ii) the storage of food harvested there,
 - (iii) the packaging of food harvested there except in a form in which the food is to be sold by retail, or
 - (iv) the sale of food harvested there (other than a sale by retail or, if it is a sale by retail, where such sale is incidental to the commercial operations carried out at the premises);
 - (c) the collection of honey from bees;
 - (d) the sale by retail of food by means of an automatic vending machine on those premises;
 - (e) the sale or supply of beverages, or of biscuits, potato crisps, confectionery or similar products, ancillary to a business whose principal activity is not the sale of food; or
 - (f) the supply of food in the course of a religious ceremony.
3. Premises controlled by a voluntary organisation or the trustees of a charity and used only for the purposes of such organisation or charity, where no food (other than ingredients for the preparation of beverages, sugars, biscuits, potato crisps or other similar products) is stored for sale.
4. Premises at which no food intended for sale for human consumption is present and no mobile stall or vehicle from which any food business operates is ordinarily kept.
5. Domestic premises –
 - (a) where the person resident is a volunteer preparing food for a voluntary organisation;
 - (b) where the person resident is a person registered under Article 42(1)(b) of the Children (Jersey) Law 1969³ and the sale or supply of food is ancillary to the person acting as such;

- (c) used for the sale or preparation of honey (wherever collected) or of horticultural or viticultural produce harvested on the premises; or
 - (d) where the sale of food is ancillary to the provision of accommodation for not more than 5 persons.
6. Dairies and dairy farms.
 7. Premises to which the Nursing and Residential Homes (Jersey) Law 1994⁴ applies.

ENDNOTES**Table of Legislation History**

Legislation	Year and No	Commencement
Food (Registration of Premises) (Jersey) Order 2001	R&O.159/2001	1 January 2002
States of Jersey (Amendments and Construction Provisions No. 5) (Jersey) Regulations 2005	R&O.45/2005	9 December 2005

Table of Renumbered Provisions

Original	Current
1(3), (4)	spent, omitted from this revised edition
8	spent, omitted from this revised edition
9	8

Table of Endnote References

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- ¹ *This Order has been amended by the States of Jersey (Amendments and Construction Provisions No. 5) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government*
- ² *chapter 20.225*
- ³ *chapter 12.200*
- ⁴ *chapter 20.725*