

Statutory Instrument 2005 No. 2359

The Food Safety (General Food Hygiene) (Amendment) (England) Regulations 2005

© Crown Copyright 2005

Statutory Instruments printed from this website are printed under the superintendence and authority of the Controller of HMSO being the Queen's Printer of Acts of Parliament.

The legislation contained on this web site is subject to Crown Copyright protection. It may be reproduced free of charge provided that it is reproduced accurately and that the source and copyright status of the material is made evident to users.

It should be noted that the right to reproduce the text of Statutory Instruments does not extend to the Queen's Printer imprints which should be removed from any copies of the Statutory Instrument which are issued or made available to the public. This includes reproduction of the Statutory Instrument on the Internet and on intranet sites. The Royal Arms may be reproduced only where they are an integral part of the original document.

The text of this Internet version of the Statutory Instrument which is published by the Queen's Printer of Acts of Parliament has been prepared to reflect the text as it was Made. A print version is also available and is published by The Stationery Office Limited as the **The Food Safety (General Food Hygiene) (Amendment) (England) Regulations 2005**, ISBN 0110732898. The print version may be purchased by clicking [here](#). Braille copies of this Statutory Instrument can also be purchased at the same price as the print edition by contacting TSO Customer Services on 0870 600 5522 or e-mail: customer.services@tso.co.uk.

Further information about the publication of legislation on this website can be found by referring to the [Frequently Asked Questions](#).

To ensure fast access over slow connections, large documents have been segmented into "chunks". Where you see a "continue" button at the bottom of the page of text, this indicates that there is another chunk of text available.

STATUTORY INSTRUMENTS

2005 No. 2359

FOOD, ENGLAND

The Food Safety (General Food Hygiene) (Amendment) (England) Regulations 2005

<i>Made</i>	<i>24th August 2005</i>
<i>Laid before Parliament</i>	<i>26th August 2005</i>
<i>Coming into force</i>	<i>24th September 2005</i>

The Secretary of State, in exercise of the powers conferred by sections 19(1)(b) and 26(2)(d) of the Food Safety Act 1990^[1] and now vested in her^[2], having had regard in accordance with section 48(4A) of that Act to relevant advice given by the Food Standards Agency, after consultation as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety^[3], makes the following Regulations:

Title, application and commencement

1. These Regulations may be cited as the Food Safety (General Food Hygiene) (Amendment) (England) Regulations 2005, shall apply in relation to England only and shall come into force on 24th September 2005.

Amendment to the Food Safety (General Food Hygiene) Regulations 1995

2. —(1) The Food Safety (General Food Hygiene) Regulations 1995^[4] shall be amended in accordance with paragraph (2) in so far as they apply in relation to England.

(2) Paragraphs 6 and 7 of Schedule 1A (licensing of butchers' shops) shall be omitted.

Existing licences

3. Any licence issued under Schedule 1A to the Food Safety (General Food Hygiene) Regulations 1995 before the date of coming into force of these Regulations that is in force on that date shall remain in force regardless of the day on which it was issued.

Signed by authority of the Secretary of State for Health

Caroline Flint
Parliamentary Under Secretary of State, Department of Health

24th August 2005

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations, which apply in relation to England only, further amend the Food Safety (General Food Hygiene) Regulations 1995 (S.I. 1995/1763 as already amended), which extend to the whole of Great Britain.

2. These Regulations revoke paragraphs 6 and 7 of Schedule 1A to S.I. 1995/1763, which respectively provide that —

- (a) a licence for a butcher's shop issued under that Schedule remains in force for a year from the date of issue; and
- (b) if a licence is granted to a person who has held a licence for not less than 8 months and both licences relate to the same premises, the further

licence becomes operative for a period of a year beginning on the expiry of the existing licence (*regulation 2(2)*).

3. These Regulations also provide that any licence issued under Schedule 1A to S.I. 1995/1763 before the date of coming into force of these Regulations that is in force on that date shall remain in force regardless of the day on which it was issued (*regulation 3*).

4. No regulatory impact assessment has been prepared in relation to these Regulations.

Notes:

[1] 1990 c.16; section 1(1) and (2) (definition of "food") was substituted by S.I. 2004/2990; section 53(2) was amended by paragraph 19 of Schedule 16 to the Deregulation and Contracting Out Act 1994 (1994 c. 40), Schedule 6 to the Food Standards Act 1999 (1999 c. 28) and S.I. 2004/2990.[back](#)

[2] Functions formerly exercisable by "the Ministers" (being, in relation to England and Wales and acting jointly, the Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with health in England and food and health in Wales and, in relation to Scotland, the Secretary of State) are now exercisable in relation to England by the Secretary of State pursuant to paragraph 8 of Schedule 5 to the Food Standards Act 1999 (1999 c.28) and paragraph 21 of that Schedule inserted subsection (4A) into section 48 of the 1990 Act. Section 48 was also amended by S.I. 2004/2990. Functions of "the Ministers" so far as exercisable in relation to Wales were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) as read with section 40(3) of the 1999 Act and those functions so far as exercisable in relation to Scotland were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (1998 c.46) as read with section 40(2) of the 1999 Act.[back](#)

[3] OJ No. L31, 1.2.2002, p.1. That Regulation was last amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council (OJ No. L245, 29.9.2003, p.4).[back](#)

[4] S.I. 1995/1763, amended by S.I. 2000/930; there are other amending instruments but none is relevant.[back](#)

ISBN 0 11 073289 8

[Other UK SIs](#) | [Home](#) | [National Assembly for Wales Statutory Instruments](#) | [Scottish Statutory Instruments](#) | [Statutory Rules of Northern Ireland](#)