

Statutory Instrument 1997 No. 723

The Food Premises (Registration) Amendment Regulations 1997

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STATUTORY INSTRUMENTS

1997 No. 723

FOOD

The Food Premises (Registration) Amendment Regulations 1997

<i>Made</i>	<i>10th March 1997</i>
<i>Laid before Parliament</i>	<i>17th March 1997</i>
<i>Coming into force</i>	<i>7th April 1997</i>

The Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with health in England and food and health in Wales acting jointly in relation to England and Wales, and the Secretary of State for Scotland in relation to Scotland, in exercise of the powers conferred on them by sections 19(1)(a) and 48(1) of the Food Safety Act 1990[1] and of all other powers enabling them in that behalf, after consultation in accordance with section 48(4) of the Food Safety Act 1990 with such organisations as appear to them to be representative of interests likely to be substantially affected, hereby make the following Regulations: -

Citation, commencement and interpretation
1 . - (1) These Regulations may be cited as the Food Premises (Registration) Amendment Regulations 1997 and shall come into force on 7th April 1997.

(2) In these Regulations, "the principal Regulations" means the Food Premises (Registration) Regulations 1991[2].

Amendment of the principal Regulations

2 . - (1) In paragraph (4)(b) of regulation 3 of the principal Regulations (exceptions), for the words "child minder." [3] there shall be substituted the words "child minder, or

(iv) the preparation for sale of food to be sold from a market stall run by WI Country Markets Limited."

(2) After paragraph (5) of regulation 7 of the principal Regulations[4] (supply of information and alterations to register), there shall be added the following paragraph -

" (6) The relevant registration authority shall make under this paragraph (and not under paragraph (3)(b)) such alterations to the register and to the supplementary record, including the removal of premises to which regulation 3(4)(b)(iv) applies, as are necessary to take account of the coming into force of the Food Premises (Registration) Amendment Regulations 1997, but the authority is required to make such alterations in respect of particular food business premises only if they receive a written request from the proprietor of the food business asking for the removal of the premises from the register (a request which the proprietor is not obliged to make)."

***Angela Browning*
Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food
10th March 1997**

**Signed by authority of the Secretary of State for Health
Cumberlege
Parliamentary Under Secretary of State, Department of Health
5th March 1997**

**Signed by authority of the Secretary of State for Wales
Gwilym Jones
Parliamentary Under Secretary of State, Welsh Office
6th March 1997**

***Lindsay*
Parliamentary Under Secretary of State, Scottish Office
6th March 1997**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Food Premises (Registration) Regulations 1991 by inserting into them a new category of domestic premises which need not be registered as food business premises under those Regulations.

The new exemption (regulation 2(2)) is for domestic premises used for the purposes of a food business in circumstances where the proprietor of the food business resides at those premises and the only commercial operation carried out there in relation to any food or food source is the preparation for sale of food to be sold from a market stall run by WI Country Markets Limited. Relevant registration authorities are, however, only obliged to alter their existing records to take account of this change to the legislation if they receive a written request from a food business proprietor asking for the removal of their premises from the register (regulation 2(2)).

Notes:

[1] 1990 c.16; see section 4(1) of the Act, which contains a definition of the Ministers which is relevant to the powers being exercised in the making of these Regulations.

[2] S.I. 1991/2825; the only relevant amending instrument is S.I. 1993/2022.

[3] Inserted by regulation 2(3) of S.I. 1993/2022.

[4] Inserted by regulation 2(4) of S.I. 1993/2022.

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