

L. N. 180 of 2001

**FOOD, DRUGS AND DRINKING WATER ACT
(CAP. 231)**

Food Premises (Registration) Regulations, 2001

In exercise of the powers conferred by article 12 of the Food, Drugs, and Drinking Water Act, the Minister of Health, on the advice of the Malta Standards Authority, has made the following regulations:-

Citation and commencement.

1. (1) The title of these regulations is the Food Premises (Registration) Regulations, 2001.

(2) These regulations shall come into force on the 1st January, 2002.

Definitions.

2. In these regulations unless the context otherwise requires-

“the Act” means the Food, Drugs and Drinking Water Act;

“commercial operation” in relation to food or contact material means any of the following:

- (a) selling, processing for sale, and offering, exposing or advertising for sale;
- (b) consigning, delivering, or serving by way of sale;
- (c) preparing for sale or presenting, labelling or wrapping for the purpose of sale;
- (d) storing or transporting for the purpose of sale;
- (e) importing or exporting,

and, in relation to any food source, means deriving food from such source for the purpose of sale or for purposes connected with sale;

“contact material” means any article or substance which is intended to come into contact with food;

“food business” means any business in the course of which commercial operations with respect to food or food sources are carried out, including the import and export of food, and whether carried on for profit or not;

“food premises” means any premises used for the purpose of a food business, including stalls, whether in open or indoor markets, and vehicles, whether movable or not.

“proprietor” in relation to a food premises means the person or persons by whom the business is carried on and includes owners and occupiers of premises, licence holders for the business or premises and the persons who appear on the Food Premises Register, as provided for by these regulations;

“the Superintendent” means the Superintendent of Public Health.

Registration of food premises.

3. (1) No person may use any premises as a food premises for the purposes of a food business for three or more days, whether consecutive or not, in any period of three consecutive weeks unless such premises are registered with the Superintendent.

(2) No food premises shall be used otherwise than in strict compliance with the conditions of such registration or of such licence that may be imposed from time to time by the Superintendent.

(3) Registration of food premises or a food business under this regulation shall not exempt the proprietor from any obligation to apply for and acquire the necessary licences or permits that may be required by any competent authority.

Method of registration.

4. (1) Registration shall be carried out in writing on the appropriate form acquired from the Superintendent, duly filled and forwarded to the designated office.

(2) Particulars given on the registration form shall not be misleading, inaccurate or incomplete.

Food Premises Register.

5. The Superintendent shall keep a register, to be styled the Food Premises Register.

Amending the records.

6. (1) Where there is a change of proprietor of a food business, the new proprietor shall, within 28 days after the date of the change, supply the Superintendent with the same particulars as are required by regulation 4.

(2) Where there is a change in the nature of a food business, particulars of which are contained in the register referred to in regulation 5, the proprietor of such business shall supply the Superintendent with particulars of the change not later than 28 days of its occurrence.

Offences.

7. Any person who contravenes the provisions of regulations 3, 4 and 6 of these regulations shall be guilty of an offence under the Act.