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STATUTORY INSTRUMENTS

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**1991 No. 762**

**The Food Safety(Northern Ireland) Order 1991**

**PART IV**

**MISCELLANEOUS AND SUPPLEMENTAL**

*Powers of Department*

**Power to issue codes of practice**

**39.**—(1) For the guidance of district councils, the Department may issue codes of recommended practice as regards the execution and enforcement of this Order and of regulations and orders made under it; and any such code shall be laid before the Assembly after being issued.

(2) In the exercise of the functions conferred on district councils by or under this Order, every district council—

(a) shall have regard to any relevant provision of any such code; and

(b) shall comply with any direction which is given by the Department and requires the council to take any specified steps in order to comply with such a code.

(3) Any direction under paragraph (2)(b) shall, on the application of the Department, be enforceable by mandamus.

(4) Before issuing any code under this Article, the Department shall consult with such organisations as appear to the Department to be representative of interests likely to be substantially affected by the code.

(5) Any consultation undertaken before paragraph (4) comes into operation shall be as effective, for the purposes of that paragraph, as if undertaken after that paragraph comes into operation.