



## 2016 CHAPTER 3

### *Supplemental*

#### **Interpretation etc.**

17.—(1) In this Act—

“authorised officer” has the meaning given in section 9,

“the Department” means the Department of Health, Social Services and Public Safety,

“end of the appeal period”, in relation to a food hygiene rating, has the meaning given in section 2(6);

“establishment” means an establishment within the meaning of Regulations (EC) 852/2004 and 853/2004,

“food” has the same meaning as in [<sup>F1</sup>Regulation (EC) 178/2002],

“food business establishment” has the meaning given in section 1,

“food hygiene rating” has the meaning given in that section (but see also sections 3(10) and 4(10)),

“operator”, in relation to a food business establishment, has the meaning given in section 2,

[<sup>F2</sup>“Regulation (EC) 178/2002” means Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 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 (as amended from time to time),]

“Regulation (EC) 852/2004” means Regulation (EC) No. 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (as amended from time to time),

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*Changes to legislation: There are currently no known outstanding effects for the Food Hygiene Rating Act (Northern Ireland) 2016, Section 17. (See end of Document for details)*

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“Regulation (EC) 853/2004” means Regulation (EC) No. 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (as amended from time to time), and [F3“Regulation (EU) 2017/625” means Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (as amended from time to time).]

(2) A reference in this Act to inspecting, or carrying out an inspection of, a food business establishment is (except in sections 3(9) and 4(2) and (3) where the context requires otherwise) to be read in accordance with section 1.

(3) A notification under section 2, 3 or 4 may, without prejudice to any method of service authorised under section 24 of the Interpretation Act (Northern Ireland) 1954, be sent by ordinary post; and accordingly, unless the contrary is proved, a notification sent by ordinary post is to be treated as received on the day on which it would have been delivered in the ordinary course of post (with references in this Act to when a notification, or something with it, is received being read in light of this subsection).

#### Textual Amendments

- F1** Words in s. 17(1) substituted (23.12.2020) by [The Food Hygiene Rating Act \(Amendment\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/267\)](#), regs. 1, **2(4)(a)**
- F2** Words in s. 17(1) inserted (23.12.2020) by [The Food Hygiene Rating Act \(Amendment\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/267\)](#), regs. 1, **2(4)(b)**
- F3** Words in s. 17(1) substituted (23.12.2020) by [The Food Hygiene Rating Act \(Amendment\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/267\)](#), regs. 1, **2(4)(c)**

**Changes to legislation:**

There are currently no known outstanding effects for the Food Hygiene Rating Act (Northern Ireland) 2016, Section 17.