

1993 No. 423

FOOD

**The Food Premises (Registration) (Amendment) Regulations
(Northern Ireland) 1993***Made* 18th October 1993*Coming into operation* 22nd November 1993

The Department of Health and Social Services in exercise of the powers conferred on it by Articles 18(1)(a) and 47(2)(b) of the Food Safety (Northern Ireland) Order 1991(a), and of all other powers enabling it in that behalf and after consultation in accordance with Article 47(3) of the said Order with such organisations as appear to it to be representative of interests likely to be substantially affected by these Regulations hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Food Premises (Registration) (Amendment) Regulations (Northern Ireland) 1993 and shall come into operation on 22nd November 1993.

Amendment of the Food Premises (Registration) Regulations (Northern Ireland) 1992

2.—(1) The Food Premises (Registration) Regulations (Northern Ireland) 1992(b) shall be amended in accordance with paragraphs (2) to (4).

(2) In regulation 1(2) (interpretation)—

(a) before the definition of “Crown premises” there shall be inserted—

“ “child minder” means a person who looks after one or more children in accordance with the provisions of section 11 of the Children and Young Persons Act (Northern Ireland) 1968(c);”.

(b) after the definition of “registration authority” there shall be inserted—

“ “relevant child minder” means a child minder who looks after six children or fewer, excluding any child for whom the child minder has parental responsibility, any child looked after by the child minder in whom parental rights and duties relating to the child are vested and any child of whom the child minder is the foster parent.”.

(a) S.I. 1991/762 (N.I. 7). See Article 2(2) for the definitions of “regulations” and “the Department concerned”.

(b) S.R. 1992 No. 167

(c) 1968 c. 34

(3) In regulation 3(4)(b) (exceptions) for “on the premises,” there shall be substituted “on the premises, or

(iii) the sale of food ancillary to his acting as a relevant child minder.”

(4) In regulation 7 (supply of information and alterations to register), after paragraph (4) there shall be added—

“(5) 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 particulars relating to premises to which regulation 3(4)(b)(iii) applies, as are necessary to take account of the coming into operation of the Food Premises (Registration) (Amendment) Regulations (Northern Ireland) 1993”.

Sealed with the Official Seal of the Department of Health and Social Services on 18th October 1993.

(L.S.)

D. A. Baker

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Food Premises (Registration) Regulations (Northern Ireland) 1992 (“the principal Regulations”) to except certain domestic premises used for child minding from the requirement in the principal Regulations to register food premises with the registration authority.

Regulation 2(2) inserts definitions of “child minder” and “relevant child minder” in the principal Regulations.

Regulation 2(3) adds another exception from the requirement to register to those in regulation 3(4)(b) of the principal Regulations. The exception is domestic premises, used for the purposes of a food business, on which the proprietor of the business resides and on which the only commercial food operations are the sale of food ancillary to the proprietor’s activities as a relevant child minder.

Regulation 2(4) adds paragraph (5) to regulation 7 of the principal Regulations (supply of information and alterations to register). Regulation 7(5) requires the registration authority to make to the register and supplementary record, in respect of changes coming to its attention, alterations necessitated by virtue of the coming into operation of these Regulations. The requirements of regulation 7(4) as to the giving of notice by the registration authority, and its consideration of representations, do not apply in respect of these alterations.