

---

*Status: This version of this provision is prospective.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Food Hygiene (Scotland) Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

---

## SCOTTISH STATUTORY INSTRUMENTS

---

# 2005 No. 505

## The Food Hygiene (Scotland) Regulations 2005

PROSPECTIVE

### PART 1

#### PRELIMINARY

##### Interpretation

2.—(1) In these Regulations—

“the Act” means the Food Safety Act 1990(1);

“the Agency” means the Food Standards Agency;

“authorised officer”, in relation to an enforcement authority, means any person appointed by that authority under regulation 5(7);

“the Community Regulations” means Regulation 852/2004, Regulation 853/2004 and Regulation 854/2004;

“enforcement authority” means the authority which, by virtue of regulation 5, is responsible for enforcing and executing the Hygiene Regulations;

“food authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994(2);

“the Hygiene Regulations” means these Regulations and the Community Regulations;

“premises” includes any establishment, any place, vehicle, stall or moveable structure and any ship or aircraft;

“Regulation 178/2002”, “Regulation 852/2004”, “Regulation 853/2004”, “Regulation 854/2004” and “Directive 2004/41” have the meanings respectively given to them in Schedule 1; and

“specified Community provision” means any provision of the Community Regulations that is specified in column 1 of Schedule 2 and the subject-matter of which is described in column 2 of that Schedule.

(2) Subject to paragraph (3), any expression other than one defined in paragraph (1) that is used both in these Regulations and in the Act has the meaning it bears in the Act.

(3) Any expression used both in these Regulations and in Regulation 178/2002 or the Community Regulations has the meaning it bears in Regulation 178/2002 or the Community Regulations.

(4) Where, apart from this paragraph, any period of less than 7 days which is specified in these Regulations would include any day which is—

---

(1) 1990 c. 16.

(2) 1994 (c. 39); section 2 was amended by the Environment Act 1995 (c. 25), Schedule 22, paragraph 232.

**Status:** This version of this provision is prospective.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Food Hygiene (Scotland) Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) a Saturday, a Sunday, Christmas Day or Good Friday; or
- (b) a day which is a bank holiday in Scotland under the Banking and Financial Dealings Act 1971(3),

that day shall be excluded from the period.

**Commencement Information**

**II** Reg. 2 in force at 1.1.2006, see [reg. 1\(a\)](#)

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Food Hygiene (Scotland) Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Regulations applied by [S.S.I. 2005/616 reg. 13\(7\)](#)
- Regulations revoked by [S.S.I. 2006/3 Sch. 8](#)
- reg. 2 coming into force by [S.S.I. 2005/505 reg. 1\(a\)](#)