

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2005 No. 505**

The Food Hygiene (Scotland) Regulations 2005

PROSPECTIVE

PART 4

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

**Service of documents**

**28.**—(1) Any document which is required or authorised under the Hygiene Regulations to be served on a food business operator may be served—

- (a) by delivering it to that person;
- (b) in the case of an incorporated company or body, by delivering it to its secretary at its registered or principal office, or by sending the document in a prepaid letter addressed to its secretary at that office; or
- (c) in the case of any other food business operator, by leaving it or sending it in a prepaid letter addressed to that person at that person's usual or last known residence.

(2) Where a document is to be served on a food business operator under the Hygiene Regulations and it is not reasonably practicable to ascertain the name and address of the person on whom it should be served, or the premises of the food business operator are unoccupied, the document may be served by addressing it to the food business operator concerned in the capacity of occupier of those premises (naming them), and—

- (a) by delivering it to some other person at the premises; or
- (b) if there is no other person at the premises to whom it can be delivered, by affixing it or a copy of it to some conspicuous part of the premises.

---

**Commencement Information**

**II** Reg. 28 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. 28 coming into force by [S.S.I. 2005/505 reg. 1\(a\)](#)