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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 3**

**The Food Hygiene (Scotland) Regulations 2006**

**PART 1**

PRELIMINARY

**Competent authority for the purposes of the Community Regulations**

- 4.—(1) The competent authority for the purposes of the Community Regulations is the Agency.
- (2) The Agency may, as respects any of its functions as competent authority under paragraph (1) which may be delegated in terms of the Community Regulations—
- (a) delegate any of those functions to any person or persons; or
  - (b) arrange for any of those functions to be carried out by any person or persons.
- (3) Before delegating or making an arrangement in accordance with paragraph (2), the Agency shall consult the person or persons to whom any delegation, or with whom any arrangement, is to be made and shall publish a notice containing the details and operative date of the delegation or arrangement in the Edinburgh Gazette at least 7 days before that operative date.
- (4) Where, in accordance with paragraph (2), the Agency has—
- (a) delegated any of its functions; or
  - (b) made an arrangement in relation to any of its functions,
- the Agency may, subject to paragraph (5),—
- (c) withdraw that delegation; or
  - (d) vary, suspend or cancel that arrangement,
- in whole or in part.
- (5) Paragraph (3) shall apply to any withdrawal of a delegation or variation, suspension or cancellation of an arrangement made by the Agency under paragraph (4) as it applies to a delegation or arrangement made by it in accordance with paragraph (2).
- (6) The requirement to consult under paragraph (3) may be fulfilled by consultation begun under regulation 4(3) of the Food Hygiene (Scotland) Regulations 2005 <sup>M1</sup>

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**Marginal Citations**

**M1** 2005/505.

**Changes to legislation:**

There are currently no known outstanding effects for the The Food Hygiene (Scotland) Regulations 2006, Section 4.