



# Food Act 1984

## 1984 CHAPTER 30

### [<sup>F1</sup>PART I

#### FOOD GENERALLY

##### *Hygiene*

#### [<sup>F1</sup>14 Court's power to disqualify caterer.

- (1) The provisions of this section have effect where a person is proceeded against by a local authority for an offence against regulations made under section 13 in respect—
  - (a) of any premises used as catering premises; or
  - (b) of any business carried on at such premises.
- (2) If the person is convicted of the offence and the court thinks it expedient to do so—
  - (a) having regard to the gravity of the offence or (in the case of an offence committed in respect of premises) to the unsatisfactory nature of the premises, or
  - (b) having regard to any offences against regulations made under section 13 of which the person has been previously convicted,the court may, on the application of the local authority, make an order disqualifying that person from using those premises as catering premises for such period not exceeding two years as may be specified in the order.
- (3) An order under this section shall not be made against any person unless the local authority have, not less than 14 days before the date of the hearing, given that person written notice of their intention to apply for an order to be made against him.
- (4) A person subject to an order under this section is guilty of an offence if, while the order is in force—
  - (a) he uses the premises to which the order relates as catering premises; or
  - (b) he participates in the management of any business in the course of which the premises are so used by another person.

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*Changes to legislation: There are currently no known outstanding effects for the Food Act 1984, Section 14. (See end of Document for details)*

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- (5) A person so subject may, from time to time after the expiry of 6 months from the date on which the order came into force, apply to the court before which he was convicted, or by which the order was made, to revoke the order; but where such an application is refused by the court a further application under this subsection shall not be entertained if made within 3 months of the refusal.
- (6) On any such application the court may, if it thinks proper having regard to all the circumstances of the case, including in particular—
- (a) the person's conduct subsequent to the conviction, and
  - (b) any improvement in the state of the premises to which the order relates, grant the application.
- (7) The court to which an application under subsection (5) is made has power to order the applicant to pay the whole or any part of the costs of the application.]

#### **Textual Amendments**

- F1** Pts. I, II (ss. 1–49) repealed (E.W.) (with savings for ss. 15 and 21) by [Food Safety Act 1990 \(c. 16, SIF 53:1, 2\)](#), [ss. 54, 59](#), [Sch. 4 paras. 7, 8](#), [Sch. 5](#) (but (3.4.1992) as regards ss. 16–20; [S.I. 1992/57, art. 2](#) and not coming into force as regards s.13 so far as it relates to the Food Hygiene (Amendment) Regulations 1990 until either 1.4.1991 or 1.4.1992 as mentioned in [S.I. 1990/2372](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Food Act 1984, Section 14.