



# Food Safety Act 1990

## 1990 CHAPTER 16

### PART III

#### ADMINISTRATION AND ENFORCEMENT

##### *Administration*

#### **27 Appointment of public analysts**

- (1) Every authority to whom this section applies, that is to say, every food authority in England and Wales and every regional or islands council in Scotland, shall appoint in accordance with this section one or more persons (in this Act referred to as “public analysts”) to act as analysts for the purposes of this Act within the authority’s area.
- (2) No person shall be appointed as a public analyst unless he possesses—
  - (a) such qualifications as may be prescribed by regulations made by the Ministers; or
  - (b) such other qualifications as the Ministers may approve,and no person shall act as a public analyst for any area who is engaged directly or indirectly in any food business which is carried on in that area.
- (3) An authority to whom this section applies shall pay to a public analyst such remuneration as may be agreed, which may be expressed to be payable either—
  - (a) in addition to any fees received by him under this Part; or
  - (b) on condition that any fees so received by him are paid over by him to the authority.
- (4) An authority to whom this section applies who appoint only one public analyst may appoint also a deputy to act during any vacancy in the office of public analyst, or during the absence or incapacity of the holder of the office, and—
  - (a) the provisions of this section with respect to the qualifications, appointment, removal and remuneration of a public analyst shall apply also in relation to a deputy public analyst; and

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*Status: This is the original version (as it was originally enacted).*

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- (b) any reference in the following provisions of this Act to a public analyst shall be construed as including a reference to a deputy public analyst appointed under this subsection.
- (5) In subsection (1) above “food authority” does not include the council of a non-metropolitan district, the Sub-Treasurer of the Inner Temple or the Under Treasurer of the Middle Temple; and in subsection (2) above the reference to being engaged directly or indirectly in a food business includes a reference to having made such arrangements with a food business as may be prescribed by regulations made by the Ministers.

## **28 Provision of facilities for examinations**

- (1) A food authority, or a regional council in Scotland, may provide facilities for examinations for the purposes of this Act.
- (2) In this Act “examination” means a microbiological examination and “examine” shall be construed accordingly.