



# Food Safety Act 1990

## 1990 CHAPTER 16

### PART II

#### MAIN PROVISIONS

##### *Miscellaneous and supplemental*

#### **26 Regulations and orders: supplementary provisions.**

- (1) Regulations under this Part may—
- (a) make provision for prohibiting or regulating the carrying out of commercial operations with respect to any food, food source or contact material—
    - (i) which fails to comply with the regulations; or
    - (ii) in relation to which an offence against the regulations has been committed, or would have been committed if any relevant act or omission had taken place in Great Britain; and
  - (b) without prejudice to the generality of section 9 above, provide that any food which, in accordance with the regulations, is certified as being such food as is mentioned in paragraph (a) above may be treated for the purposes of that section as failing to comply with food safety requirements.
- (2) Regulations under this Part may also—
- (a) require persons carrying on any activity to which the regulations apply to keep and produce records and provide returns;
  - (b) prescribe the particulars to be entered on any register required to be kept in accordance with the regulations;
  - (c) require any such register to be open to inspection by the public at all reasonable times and, subject to that, authorise it to be kept by means of a computer;
  - (d) prescribe the periods for which and the conditions subject to which licences may be issued, and provide for the subsequent alteration of conditions and for the cancellation, suspension or revocation of licences;

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*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

**Changes to legislation:** *Food Safety Act 1990, Section 26 is up to date with all changes known to be in force on or before 22 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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- (e) provide for an appeal to a magistrates' court or, in Scotland, to the sheriff, or to a tribunal constituted in accordance with the regulations, against any decision of an enforcement authority, or of an authorised officer of such an authority; and
  - (f) provide, as respects any appeal to such a tribunal, for the procedure on the appeal (including costs) and for any appeal against the tribunal's decision.
- (3) Regulations under this Part or an order under section 25 above may—
- (a) provide that an offence under the regulations or order shall be triable in such way as may be there specified; and
  - (b) include provisions under which a person guilty of such an offence shall be liable to such penalties (not exceeding those which may be imposed in respect of offences under this Act) as may be specified in the regulations or order.

**Status:**

Point in time view as at 01/02/1991. This version of this provision has been superseded.

**Changes to legislation:**

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