



Food Safety Act 1990

1990 CHAPTER 16

PART IV

MISCELLANEOUS AND SUPPLEMENTAL

Instruments and documents

49 Form and authentication of documents.

- (1) The following shall be in writing, namely—
 - (a) all documents authorised or required by or under this Act to be given, made or issued by a food authority; and
 - (b) all notices and applications authorised or required by or under this Act to be given or made to, or to any officer of, such an authority.
- (2) [F¹the Secretary of State] may by regulations prescribe the form of any document to be used for any of the purposes of this Act and, if forms are so prescribed, those forms or forms to the like effect may be used in all cases to which those forms are applicable.
- (3) Any document which a food authority are authorised or required by or under this Act to give, make or issue may be signed on behalf of the authority—
 - (a) by the proper officer of the authority as respects documents relating to matters within his province; or
 - (b) by any officer of the authority authorised by them in writing to sign documents of the particular kind or, as the case may be, the particular document.
- (4) Any document purporting to bear the signature of an officer who is expressed—
 - (a) to hold an office by virtue of which he is under this section empowered to sign such a document; or
 - (b) to be duly authorised by the food authority to sign such a document or the particular document,

Status: Point in time view as at 01/04/2015. This version of this provision has been superseded.

Changes to legislation: Food Safety Act 1990, Section 49 is up to date with all changes known to be in force on or before 13 June 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)

shall for the purposes of this Act, and of any regulations and orders made under it, be deemed, until the contrary is proved, to have been duly given, made or issued by authority of the food authority.

(5) In this section—

“proper officer”, in relation to any purpose and to any food authority or any area, means the officer appointed for that purpose by that authority or, as the case may be, for that area;

“signature” includes a facsimile of a signature by whatever process reproduced.

Textual Amendments

- F1** Words in s. 49 substituted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 8** (with ss. 38, 40(2)); S.I. 2000/1066, **art. 2**

Modifications etc. (not altering text)

- C1** S. 49 transfer of functions (23.3.2005) by Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2005 (S.I. 2005/849), art. 1, **Sch.** (with art. 6)
- C2** S. 49(3)-(5) power to apply in part for certain purposes conferred (S.) (1.4.2015) by Food (Scotland) Act 2015 (asp 1), **ss. 49(2)(c)(xi)**, 63(2) (with s. 62); S.S.I. 2015/99, art. 2
- C3** S. 49(4) applied (with modifications) (5.11.1991) by S.I. 1991/2486, **reg. 7(2)**

Status:

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