



# Food Safety Act 1990

## 1990 CHAPTER 16

### PART I

#### PRELIMINARY

#### **6 Enforcement of Act.**

- (1) In this Act “the enforcement authority”, in relation to any provisions of this Act or any regulations or orders made under it, means the authority by whom they are to be enforced and executed.
- (2) Every food authority shall enforce and execute within their area the provisions of this Act with respect to which the duty is not imposed expressly or by necessary implication on some other authority.
- (3) The Ministers may direct, in relation to cases of a particular description or a particular case, that any duty imposed on food authorities by subsection (2) above shall be discharged by the Ministers or the Minister and not by those authorities.
- (4) Regulations or orders under this Act shall specify which of the following authorities are to enforce and execute them, either generally or in relation to cases of a particular description or a particular area, namely—
  - (a) the Ministers, the Minister, food authorities and such other authorities as are mentioned in section 5(3) above; and
  - (b) in the case of regulations, the Commissioners of Customs and Excise;and any such regulations or orders may provide for the giving of assistance and information, by any authority concerned in the administration of the regulations or orders, or of any provisions of this Act, to any other authority so concerned, for the purposes of their respective duties under them.
- (5) An enforcement authority in England and Wales may institute proceedings under any provisions of this Act or any regulations or orders made under it and, in the case of the Ministers or the Minister, may take over the conduct of any such proceedings which have been instituted by some other person.

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*Status: Point in time view as at 05/07/1991. This version of this provision has been superseded.*

*Changes to legislation: Food Safety Act 1990, Section 6 is up to date with all changes known to be in force on or before 20 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)*

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**Modifications etc. (not altering text)**

- C1** S. 6(3) applied (1.1.1993 for specified purposes and 15.1.1993 for all other purposes) by S.I. 1992/3164, **regs. 1, 19(2)**
- S. 6(3) applied (1.1.1993 for specified purposes and 15.1.1993 for all other purposes) by S.I. 1992/3163, **regs. 1, 18(2)**

**Status:**

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