
STATUTORY INSTRUMENTS

1992 No. 637

FOOD

The Welfare Food Amendment Regulations 1992

<i>Made</i>	- - - -	<i>10th March 1992</i>
<i>Laid before Parliament</i>		<i>11th March 1992</i>
<i>Coming into force</i>	- -	<i>7th April 1992</i>

In exercise of the powers conferred by sections 13(3) and (4), and 15A of the Social Security Act 1988(1) and of all powers enabling me in that behalf, I hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Welfare Food Amendment Regulations 1992 and shall come into force on 7th April 1992.

(2) In these Regulations “the principal Regulations” means the Welfare Food Regulations 1988(2).

Amendments to the principal Regulations

2.—(1) In regulation 2(1) of the principal Regulations—

- (a) the definition of “the 1948 Act” shall be deleted;
- (b) in the definition of “registered child-minder” for the words from “or a local social services authority” to the end there shall be substituted the words “pursuant to section 71(1)(a) of the Children Act 1989(3)”;
- (c) the definition of “registered day nursery” shall be deleted;
- (d) after the definition of “registered child-minder” there shall be inserted the definition
““registered day care provider” means a person who is registered with a local authority pursuant to section 71(1)(b) of the Children Act 1989;”;
- (e) after the definition of “clinic” there shall be inserted the definition

(1) 1988 c. 7. Section 15A was inserted by paragraph 8(10) of Schedule 6 to the Social Security Act 1990 (c. 27) and section 13 was amended by paragraph 8(11) of that Schedule.
(2) S.I.1988/536; the relevant amending instruments are S.I. 1990/3, 2012 and 1991/585.
(3) 1989 c. 41.

““day care” in relation to England and Wales has the meaning assigned to it by section 18(4) of the Children Act 1989 and in relation to Scotland has the meaning assigned to it by section 79(b) of the Children Act 1989;”.

(2) For regulation 4(2)(b) of the principal Regulations there shall be substituted—

“(b) a registered day care provider;”.

(3) For regulation 4(2)(c) of the principal Regulations there shall be substituted—

“(c) a local authority in England and Wales which provides or proposes to provide day care in the exercise of functions conferred upon it by section 18(1), (2), (5) or (6) of the Children Act 1989;”.

(4) In regulation 4(2) of the principal Regulations there shall be inserted after sub-paragraph (c)—

“(d) a local authority in Scotland which provides or proposes to provide day care in the exercise of such of the functions conferred upon it by section 12 of the Social Work (Scotland) Act 1968(4) which are equivalent to those mentioned in sub-paragraph(c).”.

(5) In regulation 4(3)(a) of the principal Regulations for the words “section 1 of the 1948 Act” there shall be substituted “paragraph 6 of Schedule 9 to the Children Act 1989”.

(6) In regulation 4(3)(b) of the principal Regulations—

(a) after the words “(2)(c)” there shall be inserted the words “or (2)(d)”;

(b) the words “or local social services authority” shall be deleted;

(c) for the words “at a registered day nursery” there shall be substituted “by a registered day care provider.”.

Amendment of regulation 5 of the principal Regulations

3. In regulation 5(1) of the principal Regulations (purchase of welfare food) for “£3.10” there shall be substituted “ £3.30”.

Amendment of Schedule 1 to the principal Regulations

4. In Schedule 1 to the principal Regulations (dried milk specified for the purposes of the Regulations) for the entry “John Wyeth and Brother Limited” in each place where it appears in column (2) there shall be substituted the words “SMA Nutrition”.

Amendment of Schedule 5A to the principal Regulations

5. In paragraph 1(2) of Schedule 5A to the principal Regulations(5) for the words “the information contained therein shall be certified as correct by a duly qualified accountant” there shall be substituted the words:—

“a duly qualified accountant shall certify that the information contained in that form accords with the financial records kept by the supplier in connection with the business carried on by him”.

Transitional provision

6. The amendment made by regulation 5 of these Regulations shall not apply in relation to a certificate given before the date of coming into force of these Regulations.

(4) 1968 c. 49.

(5) Schedule 5A to the principal Regulations was inserted by S.I. 1990/2012.

Revocation

7. Regulation 3(1) of the Welfare Food Amendment Regulations 1991⁽⁶⁾ is hereby revoked.

10th March 1992

William Waldegrave
One of Her Majesty's Principal Secretaries of
State

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Welfare Food Regulations 1988 (“the principal Regulations”).

Regulation 2 amends the principal Regulations to take account of the repeal of the Nurseries and Child-Minders Regulation Act 1948 by the Children Act 1989.

Regulation 3 increases the price paid for dried milk by a person entitled to purchase it from £3.10 to £3.30 for 900 grammes per week.

Regulation 4 amends Schedule 1 of the principal Regulations to take account of a change in name of a manufacturer of dried milk products.

Regulation 5 amends the certificate required to be signed by an accountant contained in a form submitted by a supplier making a claim to the Secretary of State for special reimbursement.

Regulations 6 and 7 contain a transitional provision and revocation.