
STATUTORY INSTRUMENTS

1996 No. 1683

**DEREGULATION
FOOD**

**The Deregulation (Improvement of Enforcement
Procedures) (Food Safety Act 1990) Order 1996**

<i>Made</i>	- - - -	<i>28th June 1996</i>
<i>Laid before Parliament</i>		<i>28th June 1996</i>
<i>Coming into force</i>	- -	<i>19th July 1996</i>

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred by section 5 of, and paragraph 3 of Schedule 1 to, the Deregulation and Contracting Out Act 1994(1), hereby makes the following Order:

Title, commencement and extent

1.—(1) This Order may be cited as the Deregulation (Improvement of Enforcement Procedures) (Food Safety Act 1990) Order 1996 and shall come into force on 19th July 1996.

(2) This Order extends to Great Britain.

Interpretation

2. In this Order, “the Act” means the Food Safety Act 1990(2) and the expressions “authorised officer”, “enforcement authority”, “food business”, “improvement notice” and “proprietor” have the meaning which they bear in section 10 of the Act.

Improvement of enforcement procedures

3. Before an authorised officer of an enforcement authority serves an improvement notice on the proprietor of a food business under section 10 of the Act, the officer—

(a) shall give to the proprietor a written notice stating—

(i) that he is considering serving an improvement notice and the reasons why he is considering serving such a notice; and

(1) 1994 c. 40.
(2) 1990 c. 16.

Status: This is the original version (as it was originally made).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

- (ii) that the proprietor may, within the period specified in the notice for making representations, either make written representations to the officer or, if the proprietor so requests within the period specified in the notice for making such request, make oral representations to the officer in the presence of a senior officer of the enforcement authority; and
- (b) shall consider any representations which are duly made and not withdrawn.

28th June 1996

Angela Browning
Parliamentary Secretary, Ministry of Agriculture,
Fisheries and Food

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which extends to Great Britain, exercises powers in the Deregulation and Contracting Out Act 1994 to improve enforcement procedures under the Food Safety Act 1990.

Before an authorised officer of an enforcement authority serves an improvement notice on the proprietor of a food business under section 10 of that Act—

- (a) the officer must give the proprietor a written notice stating that the officer is considering serving an improvement notice, the reasons for this and that the proprietor has the right to make representations; and
- (b) any representations made and not withdrawn must be considered (article 3).