



## 2016 CHAPTER 3

### *Validity of rating and related duties*

#### **Validity of rating**

- 6.—(1) A food business establishment's food hygiene rating—
- (a) becomes valid when it is notified to the operator of the establishment under section 2, 3 or 4 (as the case may be), and
  - (b) unless it ceases to be valid as a result of subsection (2), continues to be valid until, where there is a new food hygiene rating for the establishment, the end of the appeal period in relation to that new rating.
- (2) A food business establishment's food hygiene rating ceases to be valid if—
- (a) there is a change of ownership of the establishment,
  - (b) the establishment ceases trading, or
  - (c) the establishment is unable to trade, as a result of a hygiene prohibition order, a hygiene emergency prohibition notice or a hygiene emergency prohibition order under the [Food Hygiene Regulations \(Northern Ireland\) 2006 \(2006 No.3\)](#).
- (3) The sticker provided under section 2, 3 or 4 showing a food business establishment's food hygiene rating—
- (a) becomes valid as soon as it is received by the operator of the establishment, and
  - (b) remains valid for as long as the rating to which it relates is valid.

**Duty to display rating**

7.—(1) The operator of a food business establishment must ensure that a valid sticker showing the establishment's food hygiene rating is displayed in the location and manner specified by the Department in regulations for so long as the rating is valid.

(2) Where, as a result of section 6(1)(b), a food business establishment's food hygiene rating continues to be valid during a period in which a new food hygiene rating for the establishment is also valid, the operator may choose which of the two stickers to display for the purposes of subsection (1) during that period.

(3) The Department may by regulations provide that, in the case of a food business establishment which supplies consumers with food which they order by means of an online facility of a specified kind, the operator must ensure that the establishment's food hygiene rating is provided online in the specified manner.

(4) The regulations may, for example, require a food hygiene rating to be provided online by means of a link to the rating in the form in which it is published by the Food Standards Agency under section 2(5).

**Duty to provide information about rating**

8.—(1) The operator of a food business establishment or a relevant employee at the establishment must, on being requested to do so, orally inform the person making the request of the establishment's food hygiene rating.

- (2) A "relevant employee" of a food business establishment is a person who—
- (a) is employed at the establishment, and
  - (b) is, in the opinion of the operator of the establishment, likely to be subject to a request of the kind referred to in subsection (1).