
STATUTORY RULES OF NORTHERN IRELAND

2000 No. 78

Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) Regulations (Northern Ireland) 2000

Interpretation

2.—(1) In these Regulations—

“the 1999 Act” means the Food Standards Act 1999;

“instrument” means any instrument (other than any statutory instrument or statutory rule) relating to a transferred function, issued or made by or on behalf of a Northern Ireland Department, including—

- (a) appointments (other than any appointment to an advisory committee);
- (b) approvals, authorisations, licences, provisional licences and registrations;
- (c) certificates;
- (d) codes of practice;
- (e) designations;
- (f) notices;
- (g) operation manuals, and other documents containing guidance, relating to the protection of public health from risks which may arise in connection with the consumption of food (including risks caused by the way in which it is produced or supplied) or otherwise relating to the protection of the interests of consumers in relation to food;
- (h) schemes and byelaws; and
- (i) warrants;

“transferred function” means any function—

- (a) of the Department of Agriculture and Rural Development⁽¹⁾ referred to in—
 - (i) subsection (2) of section 26 of the 1999 Act (statutory functions of the Department of Agriculture and Rural Development ceasing to be exercisable by it);
 - (ii) paragraph 6 of Schedule 5 to the 1999 Act and paragraphs 26 to 42 of that Schedule (amendments respectively to the Food and Environment Protection Act 1985⁽²⁾ and the Food Safety (Northern Ireland) Order 1991⁽³⁾); and
 - (iii) the entries in Schedule 6 of the 1999 Act relating to the repeals of provisions of the Food Safety (Northern Ireland) Order 1991 (other than Articles 24 and 25(3)),which relates to functions falling to the Agency under or by virtue of the 1999 Act; or

(1) Formerly the Department of Agriculture; *see* Article 3(4) of S.I. 1999/283 (N.I. 1)

(2) 1985 c. 43. Part I of the Act was amended by section 51 of the Food Safety Act 1990 c. 16; other relevant amendments to the Act were made by paragraph 29 of Schedule 3 to that Act and S.I. 1999/1756 and 1820

(3) S.I. 1991/762 (N.I. 7) as amended by S.I. 1996/1633 (N.I. 12). The functions exercisable by the Department of Agriculture and Rural Development in pursuance of Article 26(1A) of the Order are specified in the Food Safety (Enforcement) Order (Northern Ireland) 1997 (S.R. 1997 No. 492)

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- (b) exercisable by the Agency instead of a Northern Ireland Department after the coming into operation of these Regulations by virtue of regulations 3 to 12(1) (consequential provisions),

but does not include any exercise of the powers referred to in regulation 13(1)(c) or (d).

(2) The Interpretation Act (Northern Ireland) 1954⁽⁴⁾ shall apply to these Regulations as it applies to an Act of the Assembly.

⁽⁴⁾ 1954 c. 33 (N.I.)