
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 356

The Food Hygiene Regulations (Northern Ireland) 2005

PART 4

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

Revocation and suspension of designations and appointments

23.—(1) Subject to paragraphs (2) and (3), the Agency may at any time revoke or suspend—

- (a) the appointment of an official veterinarian;
- (b) the designation of an approved veterinarian; or
- (c) the appointment of an official auxiliary,

if it appears to the Agency that the person in question is unfit to perform any of the functions of that post under the Hygiene Regulations.

(2) Where the Agency revokes or suspends a designation or appointment under paragraph (1), the Agency shall, as soon as practicable, give to the person whose designation or appointment has been revoked or suspended a notice in writing of the reasons for the revocation or suspension and shall afford him an opportunity of—

- (a) making representations in writing to the Agency with regard to the revocation or suspension; or
- (b) being heard by a person nominated by the Agency for the purpose pursuant to paragraph (5)(a).

(3) A notice given under paragraph (2) shall inform the person to whom it is given—

- (a) of his right to make representations in writing;
- (b) of the manner in which and the time (not being less than 21 days from and including the date of the giving of the notice) within which such representations may be made;
- (c) of his right to be heard; and
- (d) of the manner in which and the time (not being less than 21 days from and including the date of the giving of the notice) within which he may apply for an opportunity to be heard.

(4) In the event of the person whose designation or appointment has been revoked or suspended making any representations (whether orally or in writing) under paragraph (3) the Agency shall reconsider whether that person is unfit to perform any of the functions of the post held by him under the Hygiene Regulations and shall, as soon as practicable, reconsider its decision to revoke or suspend the designation or appointment under paragraph (1) in the light of those representations.

(5) Where a person requests the opportunity to be heard pursuant to paragraph (2)(b)—

- (a) the Agency shall nominate a person to determine the matter from the list established under paragraph (6);

Status: This is the original version (as it was originally made).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

- (b) the person so nominated shall serve a notice on the person requesting the opportunity to be heard and the Agency informing them of the time (not being less than 21 days from and including the date of the giving of the notice) of the hearing; and
 - (c) the person so nominated shall, within 21 days of and including the date of the hearing, notify the person requesting the opportunity to be heard and the Agency of his decision.
- (6) The Agency shall establish and maintain a list of people who may be nominated for the purposes of this regulation and shall consult those organisations appearing to it to represent official veterinarians, approved veterinarians and official auxiliaries before including any person on the list.