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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 313**

**The Food Hygiene Rating Regulations (Northern Ireland) 2016**

**Exempt establishments**

**3.—**(1) Food business establishments specified in paragraphs (2), (3) and (4) are exempt from rating under the Act.

(2) Food business establishments where—

- (a) the sale of food is not the primary activity; and
- (b) the only food made available to consumers is food that is—
  - (i) shelf stable at ambient temperature; and
  - (ii) wrapped or packaged before it is brought to the establishment and the wrapping or packaging remains sealed at all times before the food is supplied to consumers.

(3) Food business establishments where a licence is held under the Licensing (Northern Ireland) Order 1996<sup>(1)</sup> and where—

- (a) intoxicating liquor is sold for consumption off the premises; and
- (b) the only food made available to consumers is food that is—
  - (i) shelf stable at ambient temperature; and
  - (ii) wrapped or packaged before it is brought to the food business establishment and the wrapping or packaging remains sealed at all times before the food is supplied to consumers.

(4) Food business establishments used by any of the following persons for the purpose of providing caring services where the food business establishment is also used as domestic premises—

- (a) a child minder required to be registered in accordance with Article 118 of the Children (Northern Ireland) Order 1995<sup>(2)</sup>; or
- (b) an adult placement carer as defined by regulation 2 of the Adult Placement Agencies Regulations (Northern Ireland) 2007<sup>(3)</sup>; or
- (c) a person employed by a Domiciliary Care Agency registered with the Health and Social Care Regulation and Quality Improvement Authority as required by the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003<sup>(4)</sup>.

(5) For the purposes of paragraph 3 “intoxicating liquor” bears the same meaning as in Article 2(2) of the Licensing (Northern Ireland) Order 1996.

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(1) S.I. 1996/3158 (N.I.22)  
(2) S.I. 1995/755 (N.I.2)  
(3) S.R. 2007 No. 221  
(4) S.I. 2003/431 (N.I.9)