SCOTTISH STATUTORY INSTRUMENTS

2006 No. 3

The Food Hygiene (Scotland) Regulations 2006

PART 1

PRELIMINARY

Interpretation

2.—(1) In these Regulations–

"the Act" means the Food Safety Act 1990 [M1];

"the Agency" means the **[**[F1]Food Standards Scotland**]**;

"authorised officer", in relation to an enforcement authority, means any person appointed by that authority under regulation 5(6);

[[F2] "the Community Regulations" means Regulation 852/2004, Regulation 853/2004, Regulation 2073/2005, Regulation 2015/1375, Regulation 2019/624, Regulation 2017/625, Regulation 2019/625, Regulation 2019/627 and Regulation 2019/628,**]**

[[F3]**[**[F4]"Directive 2004/41",**]** "Regulation 178/2002", "Regulation 852/2004", "Regulation 853/2004", **[**[F5]"Regulation 1688/2005**]** "Regulation 2073/2005", "Regulation 2074/2005", "Regulation 931/2011", "Regulation 1169/2011", "Regulation 28/2012", "Regulation 208/2013", "Regulation 210/2013", "Regulation 579/2014", **[**[F6]"Regulation 2015/1375",**]** "Regulation 2017/185", "Regulation 2017/625", "Regulation 2017/2158", "Regulation 2019/624", "Regulation 2019/625", "Regulation 2019/626", "Regulation 2019/627", "Regulation 2019/628", have the meanings respectively given to them in schedule 1.**]**

"enforcement authority" means the authority which, by virtue of regulation 5, is responsible for enforcing and executing the Hygiene Regulations;

"food authority" means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 [M2];

"the Hygiene Regulations" means these Regulations and the Community Regulations;

"premises" includes any establishment, any place, vehicle, stall or moveable structure and any ship or aircraft; and

"specified Community provision" means any provision of the Community Regulations that is specified in column 1 of Schedule 2 and the subject-matter of which is described in column 2 of that Schedule.

(2) Subject to paragraph (3), any expression other than one defined in paragraph (1) that is used both in these Regulations and in the Act has the meaning it bears in the Act.

(3) Unless the context otherwise requires, any expression used both in these Regulations and in Regulation 178/2002 or the Community Regulations has the meaning it bears in Regulation 178/2002 or the Community Regulations, as the case may be.

(4) Where, apart from this paragraph, any period of less than 7 days which is specified in these Regulations would include any day which is–

(a) a Saturday, a Sunday, Christmas Day or Good Friday; or

(b) a day which is a bank holiday in Scotland under the Banking and Financial Dealings Act 1971 [M3],

that day shall be excluded from the period.

[[F7](5) In these Regulations, any reference to an EU instrument defined in Schedule 1 [F8]... is a reference to that instrument as any Annex to it is amended from time to time.**]**

Textual Amendments

F1 Words in reg. 2(1) substituted (1.4.2015) by The Food (Scotland) Act 2015 (Consequential and Transitional Provisions) Order 2015 (S.S.I. 2015/100), arts. 1(2), 2, **sch. para. 14**

F2 Words in reg. 2(1) substituted (14.12.2019) by The Official Feed and Food Controls (Miscellaneous Amendments) (Scotland) Regulations 2019 (S.S.I. 2019/407), regs. 1, **4(2)(a)(i)**

F3 Words in reg. 2(1) substituted (14.12.2019) by The Official Feed and Food Controls (Miscellaneous Amendments) (Scotland) Regulations 2019 (S.S.I. 2019/407), regs. 1, **4(2)(a)(ii)**

F4 Words in reg. 2(1) inserted (30.12.2020) by The Official Feed and Food Controls (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/398), regs. 1, **2(2)(a)(i)**

F5 Words in reg. 2(1) inserted (30.12.2020) by The Official Feed and Food Controls (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/398), regs. 1, **2(2)(a)(ii)**

F6 Words in reg. 2(1) inserted (30.12.2020) by The Official Feed and Food Controls (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/398), regs. 1, **2(2)(a)(iii)**

F7 Reg. 2(5) inserted (1.4.2012) by The Food Hygiene (Scotland) Amendment Regulations 2012 (S.S.I. 2012/75), regs. 1, **2(3)**

F8 Words in reg. 2(5) omitted (30.12.2020) by virtue of The Official Feed and Food Controls (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/398), regs. 1, **2(2)(b)**

Marginal Citations

M1 1990 c. 16.

M2 1994 c. 39; section 2 was amended by the Environment Act 1995 (c. 25), **Schedule 22**, paragraph 232.

M3 1971 c. 80.

Changes to legislation:
There are currently no known outstanding effects for the The Food Hygiene (Scotland) Regulations 2006, Section 2.