
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the registration of food premises (including vehicles and other moveable structures) by food authorities.

Regulation 2 and Schedules 1, 2 and 3 set out the criteria for registration, the principal criterion being that the premises are used for the purposes of a food business on five or more days in any period of five weeks. Regulation 3 exempts various categories of premises, those used only for certain purposes, some premises already required to be registered or licensed under other legislation, most vehicles and some domestic premises used for the purposes of a food business.

The procedure for registration, the content of the register and the form of application for registration are prescribed (regulations 4 and 5 and Schedule 4). Provision is made enabling the public to inspect the register after 1st May 1992, and to be supplied with copies of entries, subject to paying any charge imposed by the authority (regulation 5(4) and (5)).

A supplementary record, not open to the public is to be kept and made available for inspection by police officers and authorised officers of enforcement authorities (other than the Commissioners of Customs and Excise) (regulation 6).

Provision is made for the notification of changes in information contained in the register, and for the consequent amendment of the register and the supplementary record (regulation 7).

Criminal offences are created in relation to the use of unregistered premises, permitting the use of unregistered premises, failing to notify a change in registered particulars, furnishing false information and disclosing information from the supplementary record otherwise than in the performance of a duty or as provided for by the Regulations (regulation 8).

The Regulations are to be enforced, in England and Wales, by district and London borough councils, the Common Council of the City of London and the Council of the Isles of Scilly, and in Scotland by district and islands area councils, except in relation to premises in respect of which a port health authority, or, in Scotland, a port local authority, has assigned to it the functions of a food authority (regulation 9).

The Regulations contain consequential provisions enabling shrimp- and prawn-peelers working at home, whose premises are registered under section 16 of the Food Act 1984, to continue doing so until 1 May 1992, and thereafter if they register their premises under these Regulations (regulation 10(1) and (2)). They also provide for voluntary registration before the Regulations come fully into force (regulation 10(3), (4), (5) and (6)).