
STATUTORY INSTRUMENTS

1991 No. 585

FOOD

The Welfare Food Amendment Regulations 1991

<i>Made</i>	- - - -	<i>8th March 1991</i>
<i>Laid before Parliament</i>		<i>11th March 1991</i>
<i>Coming into force</i>		
<i>for the purpose of regulation 2</i>		<i>1st April 1991</i>
<i>for all purposes except those of regulation 2</i>		<i>9th April 1991</i>

In exercise of the powers conferred by sections 13(3) and (4) and 15A of the Social Security Act 1988(1) and of all other powers enabling me in that behalf, I hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Welfare Food Amendment Regulations 1991 and shall come into force for the purpose of regulation 2 on 1st April 1991 and for all other purposes on 9th April 1991.

(2) In these Regulations “the principal Regulations” means the Welfare Food Regulations 1988(2).

Amendment of regulation 2 of the principal Regulations

2. In regulation 2(1) of the principal Regulations (interpretation) in the definition of “clinic” for the words from “, the sale” to “Charging) Regulations 1976” there shall be substituted “or an NHS trust (within the meaning of Part I of the National Health Service and Community Care Act 1990)”(3).

(1) 1988 c. 7; section 15A was inserted by paragraph 8(10) of Schedule 6 to the Social Security Act 1990 (c. 27) and section 13 was amended by paragraph 8(11) of that Schedule.
(2) S.I.1988/536; the relevant amending instruments are S.I. 1989/524 and 1990/571.
(3) 1990 c. 19.

Amendment of regulations 5 and 10 of the principal Regulations

3.—(1) In regulation 5(1) of the principal Regulations (purchase of welfare food) for “£2.85” there shall be substituted “£3.10”.

(2) In regulation 10(2) of the principal Regulations (inability to purchase dried milk at a reduced price)—

- (a) for “£2.85” where it first appears there shall be substituted “the price at which the applicant would have purchased the dried milk under regulation 5 but for the failure”; and
- (b) for “£2.85” where it appears for the second time there shall be substituted “that latter price”.

Amendment of Schedule 1 to the principal Regulations

4. In Schedule 1 to the principal Regulations (dried milk specified for the purpose of the Regulations)—

- (a) the following entries shall be deleted—

“Osterfeed	Farley Health Products Ltd
Ostermilk Complete Formula	Farley Health Products Ltd
Ostermilk Two	Farley Health Products Ltd
SMA	John Wyeth and Brother Ltd
SMA Gold Cap	John Wyeth and Brother Ltd”; and

- (b) after the entry relating to Milumil there shall be inserted—

“SMA Gold	John Wyeth and Brother Ltd
SMA White	John Wyeth and Brother Ltd”.

Revocations

5. Regulation 2 of the Welfare Food Amendment Regulations 1989(4), and the Welfare Food Amendment (No. 2) Regulations 1990(5) are hereby revoked.

8th March 1991

William Waldegrave
One of Her Majesty’s Principal Secretaries of
State

(4) S.I. 1989/524.

(5) S.I. 1990/571.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Welfare Food Regulations 1988 (“the principal Regulations”).

Regulation 2 amends the definition of clinic for England and Wales to include a clinic operated by an NHS trust.

Regulation 3 increases the price of dried milk payable by persons entitled to purchase it under the principal Regulations from £2.85 to £3.10 and makes an associated amendment in respect of the amount payable by the Secretary of State where through his act or omission a person is unable to purchase dried milk at a reduced price. The increase is consequent on the annual uprating of benefits under section 63 of the Social Security Act 1986 (c. 50).

Regulation 4 removes five brands of dried milk from the list of dried milks specified for the purposes of the principal Regulations and adds two additional brands to that list.

Regulation 5 revokes previous regulations the provisions of which are superseded by Regulation 3.