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STATUTORY INSTRUMENTS

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**1993 No. 2022**

**FOOD**

**The Food Premises (Registration)  
Amendment Regulations 1993**

<i>Made</i>	- - - -	<i>11th August 1993</i>
<i>Laid before Parliament</i>		<i>11th August 1993</i>
<i>Coming into force</i>	- -	<i>1st September 1993</i>

The Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with health in England and with food and health in Wales, acting jointly in respect of England and Wales, and the Secretary of State for Scotland in respect of Scotland, in exercise of the powers conferred by sections 19(1)(a) and 48(1)(b) and (c) of the Food Safety Act 1990(1) and of all other powers enabling them in that behalf, after consulting, in accordance with section 48(4) of that Act, such organisations as appear to them to be representative of interests likely to be substantially affected, hereby make the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Food Premises (Registration) Amendment Regulations 1993 and shall come into force on 1st September 1993.

(2) In these Regulations “the principal Regulations” means the Food Premises (Registration) Regulations 1991(2).

**Amendment of the principal Regulations**

2.—(1) The principal Regulations are amended in accordance with the following paragraphs of this regulation.

(2) In regulation 1(3) (interpretation)—

(a) after the definition of “the Act” the following definition is inserted—

““child minder” has the meaning given by section 71 of the Children Act 1989(3);”;

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(1) 1990 c. 16. Section 4(1) of the Act provides a definition of “the Ministers” which is relevant to the powers exercised in the making of these Regulations.  
(2) S.I.1991/2825, to which there is an amendment not relevant to these Regulations.  
(3) 1989 c. 41.

(b) after the definition of “relevant registration authority” the following definition is inserted—

““relevant child minder” means a child minder who—

- (a) holds a certificate of registration from a local authority under paragraph 6 of Schedule 9 to the Children Act 1989, and
- (b) looks after six children or fewer, excluding any child for whom the child minder has parental responsibility within the meaning of the Children Act 1989, any child looked after by the child minder in whom parental rights and duties relating to the child are vested and any child of whom the child minder is the foster parent;”

(3) In regulation 3(4)(b) (exceptions) for the words “on the premises.” there are substituted the words

“on the premises, or

(iii) the sale of food ancillary to his acting as a relevant child minder.”.

(4) In regulation 7 (supply of information and alterations to register), after paragraph (4) the following paragraph is added—

“(5) The relevant registration authority shall make under this paragraph (and not under paragraph (3)(b)) such alterations to the register and to the supplementary record, including the removal of particulars relating to premises to which regulation 3(4)(b)(iii) applies, as are necessary to take account of the coming into force of the Food Premises (Registration) Amendment Regulations 1993”.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this 11th day of August 1993.

L.S.

11th August 1993

*Gillian Shephard*  
Minister of Agriculture, Fisheries and Food

Signed by authority of the Secretary of State for Health

6th August 1993

*Cumberlege*  
Parliamentary Under Secretary of State  
Department of Health

6th August 1993

*John Redwood*  
Secretary of State for Wales

10th August 1993

*Fraser of Carmyllie*  
Minister of State, Scottish Office

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Food Premises (Registration) Regulations 1991 (“the principal Regulations”) to except certain domestic premises used for child minding from the requirement in the principal Regulations to register food premises with the registration authority.

Regulation 2(2) inserts definitions of “child minder” and “relevant child minder” in the principal Regulations.

Regulation 2(3) adds another exception from the requirement to register to those in regulation 3(4) (b) of the principal Regulations. The exception is domestic premises, used for the purposes of a food business, on which the proprietor of the business resides and on which the only commercial food operations are the sale of food ancillary to the proprietor’s activities as a relevant child minder.

Regulation 2(4) adds paragraph (5) to regulation 7 of the principal Regulations (supply of information and alterations to register). Regulation 7(5) requires the registration authority to make to the register and supplementary record, in respect of changes coming to its attention, alterations necessitated by virtue of the coming into force of these Regulations. The requirements of regulation 7(4) as to the giving of notice by the registration authority, and its consideration of representations, do not apply in respect of these alterations.