
STATUTORY INSTRUMENTS

1996 No. 1434

The Welfare Food Regulations 1996

PART VI

GENERAL

Requirement to furnish information

21.—(1) The Secretary of State may require any person who has—

- (a) applied for approval as a supplier under regulation 19; or
- (b) claimed reimbursement of an amount in respect of milk, dried milk or vitamins supplied in accordance with these Regulations,

to furnish him, or an officer duly authorised in that behalf, with such information or evidence, whether in the form of documents or otherwise, as may be reasonably needed in connection with approving that person as a supplier or reimbursing that person.

(2) An officer to whom a person is required, under paragraph (1), to furnish information or evidence shall produce to that person, if required to do so, his authority from the Secretary of State.

(3) Where documents specified by the Secretary of State or an authorised officer under paragraph (1) are produced—

- (a) he may take copies of them or extracts from them, and
- (b) the person producing them, or where that person is a body corporate, any other person who is a present or past officer of, or is employed by, the body corporate shall provide an explanation of them if requested by the Secretary of State or an authorised officer.

(4) Where documents specified under paragraph (1) are not produced, the person who was required to produce them shall state, to the best of his knowledge and belief, where they are.

Application of enactments

22.—(1) The enactments relating to the administration of benefit under the Social Security Administration Act 1992⁽¹⁾ specified in Column 1 of Schedule 6 shall have effect for the purpose of the administration of the scheme made by these Regulations, subject to the modifications specified in Column 2 of that Schedule.

(2) A person who contravenes or fails to comply with any of the following provisions of these Regulations, namely—

- regulation 7(3);
- regulation 9(2);
- regulation 9(3);
- regulation 11(3);

regulation 11(4);
regulation 14(1);
regulation 14(4),

shall be guilty of an offence under section 13 of the Social Security Act 1988 and liable on summary conviction to a penalty not exceeding level 3 on the standard scale.

Revocations

23. The regulations specified in Schedule 7 to these Regulations are hereby revoked.

Transitional provisions

24.—(1) Anything done under a provision of the Welfare Food Regulations 1988⁽²⁾ in so far as it could have been done under the provision as re-enacted in these Regulations with or without modification, shall have effect as if done under these Regulations.

(2) Without prejudice to the generality of paragraph (1)—

- (a) any milk token issued under the Welfare Food Regulations 1988 may be used as though it were a milk token issued under these Regulations and a supplier may be reimbursed in respect of milk supplied against the milk token as though it were issued under these Regulations;
- (b) any approval given, or treated as given, by the Secretary of State under the Welfare Food Regulations 1988 in respect of a person or premises in relation to the supply of milk or dried milk to children shall be treated as an approval given under regulation 19(3) to that person or to the person receiving children at those premises;
- (c) any welfare food distribution centre within the meaning of regulation 2(1) of the Welfare Food Regulations 1988 shall be treated as though it had been approved as such a centre under regulation 2(1); and
- (d) any application by a supplier for approval to participate in arrangements for reimbursement under regulation 15A of the Welfare Food Regulations 1988⁽³⁾ and any determination of a percentage under that regulation for a period which ends after the date on which these Regulations come into force shall be treated respectively as an application to determine a special percentage and a determination of a special percentage under regulation 17.

(2) S.I.1988/536.

(3) Regulation 15A was inserted by S.I. 1990/2012.