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WELSH STATUTORY INSTRUMENTS

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**2006 No. 31**

**The Food Hygiene (Wales) Regulations 2006**

**PART 1**

**PRELIMINARY**

**Interpretation**

2.—(1) In these Regulations—

“the Act” (“*y Ddeddf*”) means the Food Safety Act 1990 <sup>M1</sup>;

“the Agency” (“*yr Asiantaeth*”) means the Food Standards Agency;

“authorised officer” (“*swyddog awdurdodedig*”), in relation to an enforcement authority, means any person (whether or not an officer of the authority) who is authorised by them in writing, either generally or specially, to act in matters arising under the Hygiene Regulations;

[<sup>F1</sup>“the Community Regulations” (“*Rheoliadau'r Gymuned*”) means Regulation 852/2004, Regulation 853/2004, Regulation 2073/2005, Regulation 2015/1375, Regulation 2017/185 [<sup>F2</sup>and the Regulation 2017/625 package] insofar as it and they apply to food;]

“enforcement authority” (“*awdurdod gorfodi*”) means the authority which, by virtue of regulation 5, is responsible for enforcing and executing the Hygiene Regulations;

“food authority” (“*awdurdod bwyd*”) has the meaning that it bears by virtue of section 5(1A) of the Act;

“the Hygiene Regulations” (“*y Rheoliadau Hylendid*”) means these Regulations and the Community Regulations;

“premises” (“*mangre*”) includes any establishment, any place, vehicle, stall or moveable structure and any ship or aircraft;

<sup>F3</sup>  
...

[<sup>F4</sup>“the Regulation 2017/625 package” (“*pecyn Rheoliad 2017/625*”) means Regulation 2017/625 and the other Regulations listed in Schedule 1 below the heading “The Regulation 2017/625 package]

“specified Community provision” (“*darpariaeth Gymunedol benodedig*”) means any provision of the Community Regulations that is specified in column 1 of Schedule 2 and whose subject-matter is described in column 2 of that Schedule.

[<sup>F5</sup>(1A) Any reference in these Regulations to Regulation 2017/625 or any other Directive or Regulation referred to in Schedule 1 have the meanings respectively given to them in 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 any functions under the Act are assigned—

- (a) by an order under section 2 of the Public Health (Control of Disease) Act 1984 <sup>M2</sup>, to a port health authority; or
- (b) by an order under section 6 of the Public Health Act 1936 <sup>M3</sup>, to a joint board for a united district,

any reference in these Regulations to a food authority shall be construed, so far as relating to those functions, as a reference to the authority to whom they are so assigned.

(5) Where, apart from this paragraph, any period of less than seven 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 under the Banking and Financial Dealings Act 1971 <sup>M4</sup>,

that day will be excluded from the period.

[<sup>F6</sup>(6) In these Regulations, any reference to an EU instrument defined in Schedule 1 is a reference to that instrument as <sup>F7</sup>... amended from time to time.]

#### Textual Amendments

- F1** Words in [reg. 2\(1\)](#) substituted (14.12.2019) by [The Official Feed and Food Controls \(Wales\) \(Miscellaneous Amendments\) Regulations 2019](#) (S.I. 2019/1482), regs. 1(1), **4(a)(i)**
- F2** Words in [reg. 2\(1\)](#) substituted (31.12.2020) by [The Official Feed and Food Controls \(Miscellaneous Amendments\) \(Wales\) Regulations 2020](#) (S.I. 2020/1487), regs. 1(2), **2(2)(a)(i)**
- F3** Words in [reg. 2\(1\)](#) omitted (31.12.2020) by virtue of [The Official Feed and Food Controls \(Miscellaneous Amendments\) \(Wales\) Regulations 2020](#) (S.I. 2020/1487), regs. 1(2), **2(2)(a)(ii)**
- F4** Words in [reg. 2\(1\)](#) substituted (31.12.2020) by [The Official Feed and Food Controls \(Miscellaneous Amendments\) \(Wales\) Regulations 2020](#) (S.I. 2020/1487), regs. 1(2), **2(2)(a)(iii)**
- F5** [Reg. 2\(1A\)](#) inserted (31.12.2020) by [The Official Feed and Food Controls \(Miscellaneous Amendments\) \(Wales\) Regulations 2020](#) (S.I. 2020/1487), regs. 1(2), **2(2)(b)**
- F6** [Reg. 2\(6\)](#) inserted (30.7.2012) by [The Food Hygiene \(Wales\) \(Amendment\) \(No. 2\) Regulations 2012](#) (S.I. 2012/1765), regs. 1, **2(3)**
- F7** Words in [reg. 2\(6\)](#) omitted (14.12.2019) by virtue of [The Official Feed and Food Controls \(Wales\) \(Miscellaneous Amendments\) Regulations 2019](#) (S.I. 2019/1482), regs. 1(1), **4(b)**

#### Marginal Citations

- M1** 1990 c. 16.
- M2** 1984 c. 22; [section 7\(3\)\(d\)](#) was substituted by paragraph 27 of Schedule 3 to the [Food Safety Act 1990](#) (1990 c. 16).
- M3** 1936 c. 49; [section 6](#) is to be read with paragraph 1 of Schedule 3 to the [Food Safety Act 1990](#).
- M4** 1971 c. 80.

**Changes to legislation:**

There are currently no known outstanding effects for the The Food Hygiene (Wales) Regulations 2006, Section 2.