
WELSH STATUTORY INSTRUMENTS

2014 No. 2303

The Food Information (Wales) Regulations 2014

Application of provisions of the Act

12.—(1) Subsections (1) and (2) of section 10 of the Act (improvement notices) apply, with the modification (in the case of section 10(1)) specified in Part 1 of Schedule 4, for the purposes of—

- (a) enabling an improvement notice to be served on a person requiring the person to comply with any of the following provisions—
 - (i) a provision of FIC specified in Schedule 5, to the extent provided for in section 10 as applied by paragraph (1) and modified by Part 1 of Schedule 4;
 - (ii) regulation 5(3), (4) or (5);
 - (iii) regulation 6(1) or (4);
 - (iv) regulation 7(1), (4) or (5); or
 - (v) regulation 8(1) or (3); and
- (b) making the failure to comply with a notice referred to in sub-paragraph (a) an offence.

(2) Subsections (1) to (8) of section 32(1) of the Act (powers of entry) apply, with the modifications (in the case of section 32(1)) specified in Part 2 of Schedule 4, for the purposes of enabling an authorised officer of a food authority or a port health authority—

- (a) to exercise a power of entry to ascertain whether there is, or has been, any contravention of a provision of FIC specified in Schedule 5, to the extent provided for in section 32(1) (a) as applied by this paragraph and modified by Part 2 of Schedule 4;
- (b) to exercise a power of entry to ascertain whether there is any evidence of any contravention of such a provision; and
- (c) when exercising a power of entry under the provisions of section 32 as applied by this paragraph, to exercise the powers in subsections (5) and (6) relating to records.

(3) Subsections (1) and (6) of section 37 of the Act (appeals) apply, with the modifications specified in Part 3 of Schedule 4, for the purpose of enabling a decision to serve a notice referred to in paragraph (1)(a) to be appealed.

(4) Section 39 of the Act (appeals against improvement notices) applies, with the modifications (in the case of subsections (1) and (3) of section 39) specified in Part 4 of Schedule 4, for the purpose of dealing with appeals against a decision to serve a notice referred to in paragraph (1)(a).

(5) The provisions of the Act specified in column 1 of the table in Part 5 of Schedule 4 apply, with the modifications specified in column 2 of that Part, for the purposes of these Regulations.

(6) Paragraphs (1) to (4) are without prejudice to the application of sections 10, 32, 37 and 39 of the Act to these Regulations for purposes other than those specified in those paragraphs.

(1) Subsections (5) and (6) of section 32 were amended by paragraph 18 of Schedule 2 to the Criminal Justice and Police Act 2001 (c. 16).