

HE303**HEALTH ACT 1911****HEALTH (FOOD HYGIENE) AMENDMENT REGULATIONS 1994**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Health (Food Hygiene) Amendment Regulations 1994*.

Principal regulations

2. In these regulations the *Health (Food Hygiene) Regulations 1993** are referred to as the principal regulations.

[* *Published in Gazette of 15 October 1993 at pp. 5681-5745.*]

Regulation 57 repealed and a regulation substituted

3. Regulation 57 of the principal regulations is repealed and the following regulation is substituted —

“

Handling etc. of food for sale in residential premises prohibited

57. (1) Subject to subregulations (2), (3) and (4) a person must not in residential premises, prepare, pack, store, handle, serve, or supply for sale, any food unless granted approval to do so under this regulation.

(2) Notwithstanding subregulation (1) a person may undertake —

- (a) cake decorating;
- (b) the preparation of food for a single fund raising event arranged by a community or charitable organization;
- (c) the preparation of food for guests using farm stay or home stay accommodation; or
- (d) any other food handling or food preparation activity approved by the Executive Director, Public Health,

in residential premises.

(3) A person who seeks to undertake any of the activities referred to in subregulation (1), other than those referred to in subregulation (2) (a), (b) and (c), must apply to the Executive Director, Public Health, in writing, for a direction as to whether the activity may be conducted in residential premises.

(4) Where the Executive Director, Public Health directs that the activity may be conducted in residential premises a person who seeks to undertake the activity must apply to the local authority in the form of Form 2 in Schedule 2 for approval to do so and the local authority may grant or refuse the application.

(5) A person who contravenes this regulation commits an offence.

Schedule 2 amended

4. Schedule 2 to the principal regulations is amended —

- (a) in the arrangement by deleting "57 (2)" and substituting the following —
 " 57 (4) "; and
- (b) by deleting Form 2 and substituting the following form —

FORM 2

HEALTH ACT 1911

HEALTH (FOOD HYGIENE) REGULATIONS 1993

[Regulation 57 (4)]

**APPLICATION FOR APPROVAL OF CERTAIN
FOOD HANDLING ACTIVITIES IN
RESIDENTIAL PREMISES**

To the Local Authority of
(insert name of Local Authority)

I
(full name)

apply to

.....
(describe the food handling activities)

at
*(residential address where food handling activities
will take place)*

.....

I enclose a copy of a direction under regulation 57 (3) from the Executive Director, Public Health.

.....
Signature of Applicant

Dated 19 ...

APPROVAL

*The above application is granted subject to the following terms and conditions

.....
.....
.....

*The above application is refused.

.....
Environmental Health Officer,
Local Authority of ..

*Strike out whichever is not applicable

”.

Schedule 4 amended

5. Schedule 4 to the principal regulations is amended —

- (a) in Part 3 Division 1 clause 3 (2) (a), by deleting “, impervious to water and non-absorbent” and substituting the following —
“ and impervious to water ”;
- (b) in Part 3 Division 1 clause 3 (10), by deleting “Class 5”; and
- (c) in Part 3 Division 9 clause 13, by deleting subclause (16).

By His Excellency’s Command,

D. G. BLIGHT, Clerk of the Council.
