



New South Wales

Food (Incorporation of Food Standards Code) Regulation 2000

under the

Food Act 1989

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Food Act 1989*.

CRAIG KNOWLES M.P.,

Minister for Health

Explanatory note

This Regulation replaces the *Food Standards Code (Incorporation) Regulation 1995* which is repealed on 1 September 2000 under section 10 of the *Subordinate Legislation Act 1989*.

This Regulation adopts the Australia New Zealand Food Standards Code of the Australia New Zealand Food Standards Council and is made under section 90 of the *Food Act 1989*, in particular section 90 (2) (a), which provides for regulations to be made for or with respect to standards for food and section 90 (3), which provides that the regulations may incorporate codes as in force at a particular time or from time to time.

This Regulation comprises matter arising under legislation that is substantially uniform or complementary with legislation of the Commonwealth or another State or Territory.

2000 No 521

Clause 1 Food (Incorporation of Food Standards Code) Regulation 2000

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1 Name of Regulation

This Regulation is the *Food (Incorporation of Food Standards Code) Regulation 2000*.

2 Commencement

This Regulation commences on 1 September 2000.

Note. This Regulation replaces the *Food Standards Code (Incorporation) Regulation 1995* which is repealed on 1 September 2000 under section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

(1) In this Regulation:

Food Standards Code means the code published under that name in the Commonwealth of Australia Gazette on 27 August 1987 together with any amendments of the standards contained in that Code:

- (a) that were approved by the National Food Standards Council before the commencement of the *Australia New Zealand Food Authority Act 1991* of the Commonwealth and that were published in the Commonwealth of Australia Gazette as forming part of that code, or
- (b) that were or are made under the *Australia New Zealand Food Authority Act 1991* of the Commonwealth.

(2) For the purposes of the Food Standards Code:

relevant authority means the Director-General of the Department of Health of New South Wales.

the Act means the *Food Act 1989*.

(3) The explanatory note and notes in the text of this Regulation do not form part of this Regulation.

4 Incorporation of Food Standards Code

- (1) The Food Standards Code, as in force from time to time, is incorporated in this Regulation and applies as a law of New South Wales.
- (2) The standards set out in the Food Standards Code are prescribed for the purposes of the *Food Act 1989*.

5 Savings provision

Any act, matter or thing that, immediately before the repeal of the *Food Standards Code (Incorporation) Regulation 1995*, had effect under that Regulation is taken to have effect under this Regulation.