



New South Wales

Food Amendment (Notifications) Regulation 2002

under the

Food Act 1989

Her 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

The object of this Regulation is to amend the *Food Regulation 2001* to provide that the Director-General of the Department of Health may make an arrangement with a local council for the council to accept notifications under the *Food Standards Code* relating to new food handling operations and forward those notifications to the Director-General.

This Regulation also sets out certain fees that may be levied by such a council and the Director-General in relation to those notifications.

This Regulation is made under the *Food Act 1989*, including section 90 (the general regulation-making power), and in particular section 90 (1) and 90 (2) (u).

2002 No 223

Clause 1 Food Amendment (Notifications) Regulation 2002

Food Amendment (Notifications) Regulation 2002

1 Name of Regulation

This Regulation is the *Food Amendment (Notifications) Regulation 2002*.

2 Amendment of Food Regulation 2001

The *Food Regulation 2001* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 2)

Clause 6AA

Insert after clause 6:

6AA Notifications of food handling operations

- (1) The Director-General may make an arrangement with a local council for the council to accept notifications under clause 4 of Standard 3.2.2 of the *Food Standards Code* on behalf of the Director-General and forward those notifications to the Director-General.
- (2) A local council that performs the service of accepting and forwarding a notification under subclause (1) may in accordance with section 608 of the *Local Government Act 1993* charge a fee for that service not exceeding the following:
 - (a) if the notification relates to 5 food premises or less—\$50,
 - (b) if the notification relates to more than 5 food premises—\$10 per premises.
- (3) A notification under clause 4 of Standard 3.2.2 of the *Food Standards Code* may be made:
 - (a) in a written form—directly to the Director-General or to the Director-General through a local council (under an arrangement made in accordance with subclause (1)), or
 - (b) in an electronic form by way of the Internet—directly to the Director-General.
- (4) A notification that is made in a written form directly to the Director-General must be accompanied by a processing fee of:
 - (a) if the notification relates to 5 food premises or less—\$50, and
 - (b) if the notification relates to more than 5 food premises—\$10 per premises.

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Schedule 1 Amendment

- (5) A notification under clause 4 of Standard 3.2.2 of the *Food Standards Code* is not duly made unless it is accompanied by any fee that is required under this clause.

BY AUTHORITY
