



New South Wales

Food Amendment (Food Standards Code) Regulation 2010

under the

Food Act 2003

Her Excellency the Governor, with the advice of the Executive Council, and with the approval of the Premier, has made the following Regulation under the *Food Act 2003*.

STEVE WHAN, MP
Minister for Primary Industries

Explanatory note

The object of this Regulation is to modify the *Food Standards Code* to clarify that restrictions on permitting live animals in areas in which food is handled do not apply to dogs in outdoor dining areas, as provided for by section 14A of the *Companion Animals Act 1998*. The amendment to the *Food Standards Code* ensures that the *Food Standards Code* is consistent with the *Companion Animals Act 1998*.

This Regulation is made under the *Food Act 2003*, including section 139 (the general regulation-making power) and section 141.

2010 No 673

Clause 1 Food Amendment (Food Standards Code) Regulation 2010

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under the

Food Act 2003

1 Name of Regulation

This Regulation is the *Food Amendment (Food Standards Code) Regulation 2010*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of Food Regulation 2010

(1) Clause 17 Modification of Food Standards Code

Insert “Clause 4 of” before “Standard 3.2.2” in clause 17 (2).

(2) Clause 17 (2)

Omit “clause 4 (4)”. Insert instead “subclause (4)”.

(3) Clause 17 (3)

Insert after clause 17 (2) (before the note):

(3) Clause 24 of Standard 3.2.2 of the *Food Standards Code* is modified by inserting after subclause (2) the following subclause:

(3) This clause does not prohibit a food business from permitting a dog in an outdoor dining area as provided for by section 14A of the *Companion Animals Act 1998*.