



**Cynulliad Cenedlaethol Cymru
The National Assembly for Wales**

PWYLLGOR DEDDFAU ADRODDIAD

LEGISLATION COMMITTEE REPORT

**The Food Safety (General Food Hygiene) (Butchers' Shops) (Amendment) (Wales)
Regulations 2000**

Background

These Regulations introduce a requirement for butchers' shops to be licensed by food authorities.

For this purpose butchers' shops are defined as premises in which raw meat is handled and from which both raw meat and ready to eat food are sold to customers.

This licensing system is introduced by the insertion of additional text into the Food Safety (General Food Hygiene) Regulations 1995.

Regulations to similar effect have been made for England and Scotland. The England Regulations (2000 SI 930) were made on 2 April with Regulations 1 and 5 coming into force on 1 May and Regulations 2-4 on 1 November. The Scotland Regulations (2000 SSI 93) were made on 29 March with Regulations 1 and 5 coming into force on 8 May and Regulations 2-4 on 2 October.

Standing Order 11.5

Although the point identified below is a small point, it does cause difficulty in the interpretation of the paragraph in question.

Schedule 1A, paragraph 5(4)(b)

"show" appears to have been included in error. This completely obscures the meaning as it

suggests that “records” is used as a noun when it is apparent from the equivalent provision in the England and Scotland regulations that it is intended to be used as a verb.

It is thus considered that this would need to be reported under Standing Order 11.5(v) as a point on which the drafting of the Regulations appears to be defective. Correction could be appropriately dealt with by means of a Memorandum of Corrections under Standing Order 22.12A, however, and if this procedure is followed there will be no cause for the Committee to report to the Assembly.

This Report is accordingly subject to a Memorandum of Corrections being duly laid.

General Observations

Explanatory Note, 1st paragraph

Note different use of apostrophe in lines 6 and 7.

Explanatory Note, 3rd paragraph

It seems that this paragraph should finish after the first sentence.

Explanatory Note – paragraphs 1-3 of Schedule 1A

Since the explanatory note deals separately with most paragraphs of Schedule 1A, is queried why it does not deal with paragraphs 1-3 rather than starting with paragraph 4.

Explanatory Note – paragraph 7 of Schedule 1A

In the Welsh text an unintended hyphen has been inserted before “bedwar”.

Explanatory Note - paragraph 8 of Schedule 1A

It is queried whether coverage of paragraph 8 been omitted from the Explanatory Note for any particular reason.

Explanatory Note – final paragraph

It is queried whether the words “of these Regulations” are needed. They have not been replicated in the Welsh text.

Regulation 1

As the English text heading has “Title” instead of “Citation” it is thought that “Teitl” should be substituted for “Enwi” in the Welsh text.

Regulation 2

It is thought that the opening wording should read –

“In Regulation 3(1) of the general Regulations (application of ...”

Regulation 5(2)

Since Regulation 5 is a transitional provision operating only up to 29 June 2001, licences granted pursuant to Regulation 5 will normally be granted prior to that date. It is assumed, however, that the provision for a licence to remain in force for one year commencing with “the later of the date on which it is issued or 30 June 2001” is intended to cover licences which although applied for prior to 30 June are not actually granted until after that date. I.e. in all other cases the later date will always be 30 June 2001.

Schedule 1A, paragraph 4(1)(a)

It would be clearer if “and” was added at the end of this paragraph to indicate that both (a) and (b) have to be met. This has been done in the Scotland Regulations.

Schedule 1A, paragraph 5(2)

The brackets have been omitted from the reference to sub-paragraph (7).

Schedule 1A, paragraph 10(1)

Should “shall” be inserted after “and”? Although in slightly different form, the corresponding provision in paragraph 9 of Schedule 1A inserted by the Scotland Regulations does make it clear that the food authority is required to give notice if it exercises its discretion to suspend or revoke.

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