

# Explanatory Statement

## Food Amendment Regulations 2003

### Subordinate Law SL2003—19

made under the

**Food Act 2001, s 152 (Regulation-making power)**

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The *Food Act 2001* ('the Act') section 152 provides that regulations may be drafted in certain circumstances, particularly in relation to clarifying the intent or function of a specific section of the Act.

#### **Regulations 1 & 2**

Regulations 1 & 2 are formal requirements of all regulations specifying the title of the regulations and the commencement date.

#### **Regulation 3**

Regulation 3 provides that the *Food Regulations 2002* are amended by the *Food Amendment Regulations 2003*.

#### **Regulation 4**

Regulation 4 amends the Regulation 4(d) of the *Food Regulations 2002* by substituting a new regulation 4(d). 4(d) provides that the commercial slaughtering of livestock for human consumption is not a form of primary food production under section 11 of the *Food Act 2001*. Thus businesses slaughtering livestock for commercial purposes are required to be registered under the Act. This amendment exempts slaughtering of livestock for non-commercial purposes from registration requirements.

#### **Regulation 5**

Regulation 5 amends Regulation 5(1)(d)(ii) of the *Food Regulations 2002* by substituting a new regulation 5(1)(d)(ii) and inserting new regulation 5(1)(e). The substituted regulation 5(1)(d)(ii) adds a semi-colon to the end of the regulation.

New regulation 5(1)(e) provides that a food business that only sells, through a vending machine, food that is not potentially hazardous is exempt from the requirement to hold a food business registration under section 89 of the *Food Act 2001*. For example, where a business sells tea, coffee or whole fruit from a vending machine, the business would be exempt from registration.