

PART 7 - FOOD PREMISES

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PART 7 - FOOD PREMISES

701 Interpretation

701.1 In this part of the bylaw, unless inconsistent with the context or where otherwise expressly provided:

COUNCIL means The Hutt City Council.

ENVIRONMENTAL HEALTH OFFICER means an Environmental Health Officer appointed by the Council under the authority of section 28 of the Health Act 1956 or any other Act.

FOOD PREMISES means any premises or stall:

- (a) On or at which food is manufactured, prepared, packed, stored or handled for sale; or
- (b) On or from which food is sold; or
- (c) That is used in connection with any other food premises, for the purposes of their work, by persons who work on those other food premises:

OCCUPIER means the person or persons legally in occupation of the food premises.

SENIOR ENVIRONMENTAL HEALTH OFFICER means a Senior Environmental Health Officer appointed by the Council.

702 Closure of Premises

702.1 Where any food premises or equipment in any food premises is in such a condition that food may be contaminated, dirty or deteriorated, a Senior Environmental Health Officer may serve a notice in writing on the occupier of the premises requiring them to:

- (a) Cease to use the premises as a food premises, or clean, reconstruct, or repair the premises; or
- (b) Cease to use, or clean, reconstruct, or repair any equipment on the premises, in accordance with the requirements and within the time specified in the Notice.

702.2 Where an Occupier has been served with a notice in accordance with clause 702.1(a) the occupier shall not recommence use of the food premises until permission has been given in writing by a Senior Environmental Health Officer.

702.3 An Occupier shall not continue to operate any food premises if the Council has revoked their Certificate of Registration pursuant to Regulation 9(3) and (4) of the Health (Registration of Premises) Regulations 1966.

703 Staff Qualification

703.1 No person shall be issued with a Certificate of Registration for food premises (except a vehicle used for the carriage or delivery of food for sale) unless -

- (a) That person has been issued with a Certificate in Food Hygiene or a Certificate in Basic Food Hygiene or other qualification approved by Council; or
- (b) There is, working on the food premises, a Manager or a staff member with specific responsibility for staff training in food hygiene, who has been issued with a Certificate in Food Hygiene, a Certificate in Basic Food Hygiene or other qualification approved by Council.

703.2 A Senior Environmental Health Officer may grant an exemption from the requirements of Clause 703.1 (a) or (b) if they are satisfied that it would be unreasonable or impractical to insist on compliance, having regard to the type of premises or types of food being sold.

703.3 Temporary exemption from the requirements of clause 703.1(a) or (b) may be granted by a Senior Environmental Health Officer, subject to the applicant providing evidence of having registered for an approved training course in Food Hygiene.

704 Appeals

704.1 Any Occupier of food premises in respect of which any decision or requirement has been made by an Environmental Health Officer or Senior Environmental Health Officer under this bylaw, may appeal to the Council's Environment Committee against that decision or requirement. On hearing the appeal, that Committee may confirm, reverse, or modify the decision or requirement made by the Officer. This right is in addition to any other statutory right or remedy available to the Occupier.

705 Display of Notice

705.1 The Occupier of any food premises is required to display near the principal entrance any Notice issued by an Environmental Health Officer indicating that the premises have been inspected their food safety standards have been approved.

705.2 This Notice maybe withdrawn at the Council's discretion.