
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 187

The Food (Jelly Mini-Cups) (Emergency Control) (Scotland) Regulations 2004

Application etc. of various provisions of the Act

6. The following provisions of the Act shall apply for the purposes of these Regulations and any reference in those provisions to the Act or Part thereof shall be construed for the purposes of these Regulations as a reference to these Regulations:—

- (a) section 2 (extended meaning of “sale” etc.);
- (b) section 20 (offences due to fault of another person);
- (c) section 29 (procurement of samples) with the modifications that—
 - (i) for “an enforcement authority” there shall be substituted “a food authority”;
 - (ii) for subsection (b)(ii) there shall be substituted the following provision:—
 - “(ii) is found by the authorised officer on or in any premises which the authorised officer is authorised to enter in pursuance of regulation 4(2)(a) of the Food (Jelly Mini-Cups) (Emergency Control) (Scotland) Regulations 2004;”;
 - (iii) subsection (c) shall be omitted; and
 - (iv) for “any of the provisions of this Act or of Regulations or Orders made under it” in subsection (d) there shall be substituted “the Food (Jelly Mini-Cups) (Emergency Control) (Scotland) Regulations 2004”;
- (d) section 30 (analysis etc. of samples) with the modifications that—
 - (i) the reference to “section 29 above” in subsection (1) shall be deemed to be a reference to that section as applied by paragraph (c); and
 - (ii) in the definition of “sample” in subsection (9) the reference to “regulations under section 31 below” shall be deemed to be a reference to regulation 4(2)(b) of these Regulations;
- (e) section 33 (obstruction etc. of officers);
- (f) section 35(1) to (3) (punishment of offences), in so far as it relates to offences under section 33(1) and (2) as applied by sub-paragraph (e);
- (g) section 36 (offences by bodies corporate);
- (h) section 36A (offences by Scottish partnerships); and
- (i) section 44 (protection of officers acting in good faith).