

TASMANIA

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**FOOD AMENDMENT REGULATIONS 2024**

**STATUTORY RULES 2024, No. 5**

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## **FOOD AMENDMENT REGULATIONS 2024**

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Food Act 2003*.

Dated 13 February 2024.

**B. BAKER**  
Governor

By Her Excellency's Command,

**GUY BARNETT**  
Minister for Health

### **1. Short title**

These regulations may be cited as the *Food Amendment Regulations 2024*.

### **2. Commencement**

These regulations take effect on the day on which their making is notified in the *Gazette*.

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### **3. Principal Regulations**

In these regulations, the *Food Regulations 2022*\* are referred to as the Principal Regulations.

### **4. Regulation 3 amended (Interpretation)**

Regulation 3 of the Principal Regulations is amended as follows:

- (a) by inserting the following definition after the definition of *child care centre*:

*education and care service* has the same meaning as in the Education and Care Services National Law (Tasmania);

- (b) by inserting the following definition after the definition of *Standard 3.2.2*:

*Standard 3.2.2A* means the Food Safety Management Tools contained in chapter 3.2.2A of the Food Standards Code;

### **5. Regulation 4 amended (Incorporation of Food Standards Code)**

Regulation 4 of the Principal Regulations is amended as follows:

- (a) by omitting from subregulation (1) “subregulations (2) and (3)” and

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- substituting “subregulations (2), (3) and (4)”;
- (b) by omitting from subregulation (3) “child care centre” and substituting “food business”;
- (c) by inserting the following subregulation after subregulation (3):
- (4) Standard 3.2.2A does not apply to –
- (a) an education and care service at which food is provided, for a purpose other than the regular provision of a main meal for breakfast, lunch or dinner, at the education and care facility; and
- (b) an education and care service, other than an education and care service to which paragraph (a) applies, until 1 March 2025; and
- (c) a food business or class of food businesses that is not classified under the approved risk-classification system for types of food businesses referred to in section 86(1A) of the Act.

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**6. Regulation 5 amended (Food safety obligations of relevant food business)**

Regulation 5 of the Principal Regulations is amended as follows:

- (a) by omitting from subregulation (1) “of a relevant” and substituting “of a relevant”;
- (b) by omitting from subregulation (1) “a child care” and substituting “a child care”;
- (c) by omitting from subregulation (3) “arelevant” and substituting “a relevant”;
- (d) by omitting from subregulation (3) “achild care” and substituting “a child care”;
- (e) by omitting from subregulation (4) “arelevant” and substituting “a relevant”;
- (f) by omitting from subregulation (4) “achild care” and substituting “a child care”;
- (g) by omitting from subregulation (5) “arelevant” and substituting “a relevant”;
- (h) by omitting from subregulation (5) “achild care” and substituting “a child care”;
- (i) by omitting from subregulation (5) “centreis kept” and substituting “centre is kept”.

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 21 February 2024.

These regulations are administered in the Department of Health.

**EXPLANATORY NOTE**

*(This note is not part of the regulations)*

These regulations amend the *Food Regulations 2022* to prescribe certain education and care services to which Standard 3.2.2A of the Food Standards Code does not apply and certain other education and care services, and food businesses, to which the Standard does not apply until 1 March 2025.