WELSH STATUTORY INSTRUMENTS

2003 No. 1774 (W.191)

FOOD, WALES

The Food Safety (Ships and Aircraft) (Wales) Order 2003

Made - - - -	*15th July 2003*
Coming into force - -	*31st July 2003*

The National Assembly for Wales, in exercise of the powers conferred on it by sections 1(3) and 48(1) of the Food Safety Act 1990 [F1] having had regard in accordance with section 48(4A) of that Act to relevant advice given by the Food Standards Agency and after consultation in accordance with section 48(4) and (4B) of that Act, makes the following Order:

F1 1990 c. 16. Functions of Secretary of State so far as exercisable in relation to Wales were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) as read with section 40(3) of the Food Standards Act 1999.

Title, commencement and application

1. This Order which may be cited as the Food Safety (Ships and Aircraft) (Wales) Order 2003; shall come into force on 31st July 2003 and applies to Wales only.

Interpretation

2.—(1) In this Order —

"the Act" ("*y Ddeddf*") means the Food Safety Act 1990;

"exempt ship or aircraft" ("*llong neu awyren esempt*") means any sovereign immune ship or aircraft or any ship of a State other than the United Kingdom which is exercising the right of innocent passage through that part of the territorial sea within to Wales;

"home-going ship" ("*llong sy'n mynd tuag adref*") means a ship which is engaged exclusively in —

(a) plying in internal waters, or

(b) excursions which last not more than one day, start and end in Great Britain and do not involve calling at any place outside Great Britain;

"innocent passage" ("*tramwyo'n ddiniwed*") has the same meaning as it has for the purposes of Part II Section 3A of the United Nations Convention on the Law of the Sea;

"internal waters" ("*dyfroedd mewnol*") has the same meaning as it has for the purposes of Article 8(1) of the United Nations Convention on the Law of the Sea;

"the principal Hygiene and Temperature Control provisions" ("*y prif ddarpariaeth Rheoli Hylendid a Thymheredd*") means —

(a) [F2]...

(b) the Food Safety (Temperature Control) Regulations 1995 [F3] except regulations 4 — 9 and 12 and Part III of those Regulations.

"sovereign immune ship or aircraft" ("*llong neu awyren freintrydd sofran*") means a ship or aircraft belonging to a State other than the United Kingdom and which is not in use for commercial purposes;

"territorial sea" ("*môr tiriogaethol*") has the same meaning as it has for the purposes of the Territorial Sea Act 1987 [F4];

"Wales" ("Cymru") has the same meaning as provided by section 155 of the Government of Wales Act 1998 [F5].

F2 Words in art. 2(1) revoked (1.1.2006) by The Food Hygiene (Wales) Regulations 2005 (S.I. 2005/3292), reg. 1, **Sch. 7**
F3 S.I. 1995/2200 as amended by S.I. 1995/3205, 1996/1499, 1998/994, 1998/1398 and 2000/656.
F4 1987 c. 49.
F5 1998 c. 38.

Ships and aircraft as premises for specified purposes

3. "Premises" shall include any ship or aircraft of a description specified in the Schedule to this Order for any purpose specified in relation to that ship or aircraft in that Schedule.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998.

D.Elis-Thomas
The Presiding Officer of the National Assembly