

## FOOD ACT INSPECTION FEES POLICY

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| Type                         | Governance                                 |
| Category                     | Development & Regulation                   |
| Responsible Officer          | Director Development & Regulation          |
| First Issued / Adopted       | Pre 2009                                   |
| Review Period                | 3 Years                                    |
| Last Reviewed                | 11 December 2019, 22 February 2017         |
| Minutes Reference            | OM468/19, OM52/17                          |
| Next Review Date             | October 2022                               |
| Applicable Legislation       | Food Act 2001<br>Food Act Regulations 2002 |
| Related Documents            | Nil  |
| Public Consultation Required | No   |
| File Reference               | 12.63.1.10                                 |
| Status                       | Current                                    |

### 1. PURPOSE

The purpose of this policy is to establish when the Council will charge a fee for the inspection of food premises and the level of fee.

### 2. SCOPE

This policy applies to food premises and food transport vehicles, which undertake the sale of food as prescribed in the Food Act 2001 and is to be applied by Public and Environmental Health Staff of the Council.

| Document No | Version No | Last review      | Next review | Page        |
|-------------|------------|------------------|-------------|-------------|
| POL-0001    | 1.0        | 11 December 2019 | 2022        | Page 1 of 3 |

### 3. DEFINITIONS

**Act** – means the Food Act 2001 (SA).

**Charitable Purpose** - means any of the following:

- (a) the purpose of advancing health;
- (b) the purpose of advancing education;
- (c) the purpose of advancing social or public welfare;
- (d) the purpose of advancing religion;
- (e) the purpose of advancing culture;
- (f) the purpose of promoting reconciliation, mutual respect and tolerance between groups of individuals that are in Australia;
- (g) the purpose of promoting or protecting human rights;
- (h) the purpose of advancing the security or safety of Australia or the Australian public;
- (i) the purpose of preventing or relieving the suffering of animals;
- (j) the purpose of advancing the natural environment;
- (k) any other purpose beneficial to the general public that may reasonably be regarded as analogous to, or within the spirit of, any of the purposes mentioned in paragraphs (a) to (j).

**Community and Charitable Organisations** – an organisation established for a charitable purpose.

**Festivals, Fetes and Shows** – means a public function, typically held outdoors and organised to raise funds for a charity, including entertainment and the sale of goods and refreshments.

**Food Premises** - means a business, enterprise or activity (other than a business, enterprise or activity that is primary food production) that involves:

- (a) the handling of food intended for sale; or
- (b) the sale of food,

regardless of whether the business, enterprise or activity concerned is of a commercial, charitable or community nature or whether it involves the handling or sale of food on one occasion only.

**Fund Raising Events** – means a public event that encourages people to participate in order to raise money for a specific cause or organisation.

**Mobile Food Vehicles** - means a vehicle used for the transport of food for sale (or of food ultimately intended for sale).

**Regulations** – means the *Food Regulations 2002* (SA).

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| Document No | Version No | Last review      | Next review | Page        |
|-------------|------------|------------------|-------------|-------------|
| POL-0001    | 1.0        | 11 December 2019 | 2022        | Page 2 of 3 |

**4. POLICY STATEMENT**

- 4.1 Council will not impose a fee for the routine inspection of any food premises (permanent or temporary), nor mobile food vehicle.
- 4.2 Council will impose inspection fees for follow-up inspections related to previously identified matters of non-compliance. Fees will be as per Regulation II of the Food Regulations 2002.
- 4.3 Council will not impose an inspection fee for inspections carried out in relation to complaints received from the public.
- 4.4 Council will not impose an inspection fee for community and charitable organisations and for fundraising events.
- 4.5 Council will not impose an inspection fee for festivals, fetes and shows.
- 4.6 Council will not impose an inspection fee for mobile food vehicles that have completed their notification process in an alternative Council area.
- 4.7 Food business inspection fee charging practices will not be varied for food businesses that have formal audited food safety programs in place.

**5. FURTHER INFORMATION**

This policy will be available for inspection at the Council offices listed below during ordinary business hours and available to be downloaded, free of charge, from Council's internet site: [www.pirie.sa.gov.au](http://www.pirie.sa.gov.au)

- Port Pirie Council Administration Centre, 115 Ellen Street, Port Pirie
- Crystal Brook Rural Office, Bowman Street, Crystal Brook.

Copies will be provided to interested parties upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

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| Document No | Version No | Last review      | Next review | Page        |
|-------------|------------|------------------|-------------|-------------|
| POL-0001    | 1.0        | 11 December 2019 | 2022        | Page 3 of 3 |