

How to Run a Healthy Business

Purchasing an existing food business – To Transfer a Registration under the Food Act 1984

Registration under the Food Act 1984

Under the Food Act 1984 all food businesses must be registered with the local Council in order to operate. Health Services is responsible for registering food businesses. Registration is valid for 12 months and is renewed each year with Council who will issue an 'Application for Renewal of Registration' to all food businesses.

How do I transfer registration under the Food Act 1984?

If you are purchasing a food business when you become the new owner, the Food Act 1984 registration needs to be transferred into your name. The 'Application for Transfer of Registration' form is available from Council, Health Services.

Key requirements:

- ✓ Completed 'Application for Transfer of Registration' form with fee.
- ✓ Food Safety Program and Food Safety Supervisor (details)

Property Enquiry Recommended

- ✓ 'Application for Property Enquiry' form with fee

Before you purchase the business consider a 'Property Enquiry'

It is recommended that you have a 'Property Enquiry' carried out for the business you intend to buy. This is for your benefit to check if there are any outstanding issues that fall under the Food Act 1984.

The 'Application for Property Enquiry' form can be obtained from Health Services. When completing the form make sure that you:

- Have the signature of the current owner for their consent to release information;
- Include the required fee.

The Property Enquiry

Health Services provide a standard 15 working day service or if requested a priority 5 working day service for an extra fee. Contact Health Services to find out the correct fee.

An Environmental Health Officer (EHO) will check the business premises, equipment and operations and produce a report. The report will list any areas that don't meet with Food Standards Australia New Zealand (FSANZ) Food Safety Standards and/or the Food Act 1984.

The current owner(s) and intended owner(s) will then decide who is responsible to action the items on the list. The EHO will follow up any major items that need to be corrected within 1-2 weeks. Other issues will be followed up at the next routine visit, usually in about 6 months.

Important note: If you choose not to have a 'Property Enquiry' carried out, any outstanding issues that fall under the Food Act 1984 will be your responsibility when you take over the business. **This may mean that you may not be able to transfer the registration.**

Ready to go ahead

Once you have decided to proceed with the purchase of the business you will need to submit the following documentation to Council:

- ✓ A Food Safety Program for the business. For further information refer to the fact sheets 'About Food Safety Programs' and 'How do I submit my Food Safety Program?'
- ✓ Completed 'Application for Transfer of Registration' form and fee

Please turn over



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All transfers of registrations, under the Food Act 1984 (Class 1 and Class 2), are required to have a Food Safety Program and name a Food Safety Supervisor. (Read 'Food Safety Supervisors' fact sheet.)

Health Services will review your Food Safety Program to make sure it is suitable for your business.

Important note: As the NEW owner of the food business if you do not transfer the registration you are operating unregistered. Under the Food Act 1984 it is an offence to operate a food business without being registered and can lead to Council taking legal action.

What if I am already operating the business?

If you are already operating a food business and have not transferred the registration, then you must contact Health Services straight away and follow the required steps.

Granting of transfer of registration

Once your Food Safety Program meets the requirements of the Food Act 1984 (read 'What happens after I submit my Food Safety Program' fact sheet), the transfer is processed and you will receive your 'Certificate of Transfer of Registration' (Food Act 1984).

Congratulations, you are now the proprietor of the food business!

Further Information

For any further information or help contact your Environmental Health Officer (EHO) on 9658 8831/8815