

Registration of a Food Business - one site

Food Act 2014

Information and application form



What to include with your application:

The completed Scope of Operations document. Find this at www.mpi.govt.nz/foodact

- If you are applying for a National Programme (NP) registration, you can choose your verifier. You will need a confirming letter from your verifier to attach to this application. A list of recognised verification agencies can be found on the Ministry for Primary Industries (MPI) website, under 'registers and lists'. The law requires Council's to verify businesses registered under the Template Food Control plan.
- If your business is a registered limited liability company, a copy of the company registration certificate. See www.companies.govt.nz
- You need to make sure you can confirm that the operator of the food business is resident in New Zealand within the meaning of section YD 1 or YD 2 (excluding section YD 2(2)) of the Income Tax Act 2007.
- Details of payment of your application fee. Refer to Fees and Charges on our website: <https://www.wairoadc.govt.nz/our-council/fees-and-charges/> for details.
- If there are any changes to the details provided in this application after it has been sent, tell us in writing immediately.
- Have you:
 - ☐ filled this form in completely and legibly
 - ☐ attached completed scope of operations document
 - ☐ attached a letter from your verifier if it isn't Council
 - ☐ attached copies of company registration certificates if applicable
 - ☐ read and signed the Applicant Statement
 - ☐ included fee payment for this application

Note: Ministry for Primary Industries' annual food business levy will be added onto the payment for this application.

This application is for a:

New business: Yes / No

Change of ownership: Take over date _____

Opening date: _____

Name of current business: _____

Amendment to template FCP or NP: WRD no. _____ HL no. _____

What type of registration are you applying for?

You must complete the Scope of Operations form to determine the type of registration.

Go to www.mpi.govt.nz/food-business/starting-a-food-business/

- ☐ Template Food Control Plan
- ☐ NP operating under a Template Food Control Plan
- ☐ NP 3
- ☐ NP 2
- ☐ NP 1

Who will be doing your verification?

- ☐ Wairoa District Council (for template Food Control Plans or National Programmes operating under a template Food Control Plan)
By choosing WDC as your Verification Agency, you agree to the terms and conditions set out in Schedule 1
- ☐ Other verifier (NPs) (name): _____
I have attached a confirmation letter from my Verification Agency

Business details:

Legal Name(s) of Operator (e.g. registered company, partnership or individual):			
NZ Business Number:			
<input type="checkbox"/> attach a copy of the company name registration from the New Zealand Companies office (www.companies.govt.nz)			
Trading Name, if any (i.e. 'Trading as'):			
<input type="checkbox"/> Same as legal name above			
Are you a mobile trader:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Vehicle registration:			
Make and model:			

Business Address and Contact Details

You must provide this information to be registered. If the address is a dwellinghouse, you may ask that the address is withheld from the public register by ticking the box below.

Postal Address		Premises Address	
Address:		Address:	
Town/City:		Town/City:	
Postcode:		Postcode:	
Country:		Country:	
<input type="checkbox"/> This address is a private dwellinghouse and I wish it to be withheld from the public register.		<input type="checkbox"/> This address is a private dwellinghouse and I wish it to be withheld from the public register.	

Contact Person Details

The contact person details entered below will be used for communications, such as sending approval documents and renewal reminders.

Mobile Ph:		Contact Ph:	
Email Address*:			
Operator day-to-day Manager name:		Operator day-to-day Manager position:	

*By entering an email address you consent to being sent information and notifications electronically, if required.

Applicant Statement

I confirm that:

- 1) I am authorised to make this application as the operator or a person with legal authority to act on behalf of the operator; and
- 2) The information supplied in this application is truthful and accurate to the best of my knowledge and belief; and
- 3) The operator is resident in New Zealand within the meaning of section YD 1 or YD 2 (excluding section YD 2(2)) of the Income Tax Act 2007; and
- 4) Every operator of the food business is able to comply with the requirements of the Food Act 2014.
- 5) I have read and agree to the terms and conditions attached (and where applicable).

Name:		Job Title:	
Signature:		Date:	

Collection of Information

Collection of Personal Information

Pursuant to Principle 3 of the Privacy Act 1993, we advise that:

- This information is being collected for the purpose of registration under the Food Act 2014; and
- The agency that will collect and hold the information is the Wairoa District Council, PO Box 54, Wairoa 4160; and
- Some of the information collected will be displayed on a public register; and
- The collection of information is authorised under section 53 or section 83 of the Food Act 2014, which ever applies. The provision of this information is necessary in order to process an application for registration under either section 53 or section 83; and
- The supply of this information is voluntary; and
- Failure to provide the requested information is likely to result in a return of this application form to the applicant, and may ultimately result in a refusal to register, in accordance with section 54 and 57 or section 84 and 87, of the Food Act 2014, which ever applies; and
- Under Principles 6 and 7 of the Privacy Act 1993, you have the right of access to, and correction of, any personal information that you have provided.

Collection of Official Information

- All information provided to Wairoa District Council is official information and may be subject to a request made under the Official Information Act 1982.
- If a request is made under that Act for information you have provided in this application, Wairoa District Council must consider any such request in accordance with its obligations under the Official Information Act 1982 and any other applicable legislation.

Schedule 1: Food Business verification terms and conditions

Wairoa District Council (Council) is a registration authority under the Food Act 2014 (the Act) for food control plans (FCPs) and food businesses subject to a national programme (NPs).

Under the Act, any appropriately recognised agency or person can verify a business operating under a NP. The following terms and conditions apply to food businesses which have agreed with Council to act as their verifier.

Verification

1. Council will conduct its verification function under the Act and the Food Regulations 2015 (the Regulations).
2. Council will obtain all evidence which in its discretion allows it to consider whether or not a food business complies with the FCP and with the relevant provisions of the Act and Regulations.
3. The nature and extent of Council's procedures and processes may vary according to the type of business, risk assessment, and previous compliance history. Council will focus on what is most important for the food safety at each type of business.
4. At the end of the verification, Council will provide the food business with an outcome report for each verification topic covered. The possible outcomes will be detailed in the report.
5. If any issues are discovered, Council will agree with the food business on a plan to address those issues, including setting reasonable timeframes, and the timing of the next verification visit.
6. Council will provide MPI with a report of the outcome of the verification visit.

Obligations of the food business

The food business agrees to provide Council with the following:

- reasonable access to the food business
- reasonable access to information and documents relating to the food business
- reasonable access to documents that are required to be kept under the risk-based measure
- reasonable access to food and to food-related accessories that are used in connection with the risk-based measure or that ought to be used in connection with the risk-based measure.

The food business warrants that all information and documents provided are complete, true and accurate and up-to-date and that:

- all food preparation tasks are being properly carried out by appropriate staff who have been suitably trained and instructed
- any restrictions or conditions place on the registration are being complied with
- they will notify Council of any further information, including any post verification events, which may have a bearing on the verification.

Preconditions or Conflicts of Interest

If any staff from the Council has been involved in the design of your food premises or procedures, we cannot act as your verifier. We aim to undertake the agreed services in an independent and impartial manner at all times.

Fees and Charges

Verification fees and charges are published at <https://www.wairoadc.govt.nz/our-council/fees-and-charges/> and are subject to periodic review in accordance with the Act. Charges for all verification related services will be invoiced following verification and are non-refundable. Ministry for Primary Industries food business levy will be paid upon registration and annually at the end of July thereafter.

Term and Termination

The food business may terminate the agreement with Council at any time by giving at least two (2) weeks written notice. **NOTE:** The law requires Council's to verify businesses registered under the Template Food Control plan. Therefore if you terminate the agreement with Council while the registration is active with Council you may be in breach of the Food Act 2014.

Where the Council cannot provide a verification service under this contract or where it can no longer provide a service, it will advise the food business at least two (2) weeks prior to stopping the service of the need to make arrangements to engage another verifier.

Council may terminate the agreement and stop providing any verification services immediately if the food business is in breach of these terms and conditions or if their registration is revoked, suspended, surrendered or substituted.

Complaints and disputes

If you have a complaint in relation to our services, or the person conducting them, or you dispute any recommendation put forward by your verifier, or you would like to comment on the service you received, please contact the Compliance and Licensing Manager. We document all complaints, disputes and compliments in an attempt to continually improve our service under our Standard Operating Procedures Manual. All complaints or disputes are confidential.

Disclaimer

A verification under the Act does not constitute a permit, authorisation, or other permission under any other Act, Regulation or bylaw. The verification report provided is based on the inspection of the accessible aspects of the food business and represents the Council officer's opinion of the observable condition of the building, facilities, equipment and documents on the day and time of the verification.

The verification report is prepared for the food business and MPI only. The food business agrees to indemnify, defend and hold the Council harmless from any third party claims arising out of the food business distribution of the verification report to any third party.

Council's liability for mistakes or omissions in the verification report is limited to a refund of the fee paid for the verification.

Sending correspondence

The Council will send all its correspondence (e.g. reports, invoices etc) to the last address and/or email details you have provided. Please advise us if you change your details.
