

# Guide to the Register of Food Offences

## Background

The Health Protection Service administers the *Food Act 2001* (the Food Act) to ensure the safe and responsible handling and sale of food in the ACT. Section 146 of the Act authorises the publication of convictions and findings of guilt against the Act. Information regarding proven offences against the Act are listed on the Health Directorate's [Register of Food Offences](#) (the Register).

The Register contains the following information: the name of the individual or company convicted and/or found guilty, the food business address, offence date and court penalty. The Register aims to increase regulatory transparency in food regulation by publishing details of recent successful prosecutions in one location.

Information will only be listed on the Register after a conviction or finding of guilt against an offence under the Food Act is recorded by an ACT Court. The information will not be immediately available on the Register following a court verdict. This may be because the case is within the appeal period, an appeal against a court decision has been lodged, or an order has been made by the Court.

## Life of the Register

Information may be stored on the Register for up to two years from its first publication. For example, if a business is convicted of an offence and first appears on the Register on 1 May 2010, this information may remain on the Register until 1 May 2012 (which is recorded on the Register). Offence dates are not the basis upon which an entry is made on the Register.

If you believe that any information is incorrect or inappropriately listed on the register, you can make a request to the Chief Health Officer for it to be amended.

## Applying for a change to the Register of Food Offences

### *Changes and corrections*

The Health Directorate may change the information contained on the Register, either on its own motion or by application from an interested person. A person may apply for a change to the Register at any time.

The Register may be amended to:

- correct an error or omission;
- add information to the register where a business is sold or liquidated after an alleged offence or following the conviction or finding of guilt; or
- add or remove information the Chief Health Officer considers appropriate.

## *How do I request a change?*

To apply for a change to the Register of Food Offences you must:

- complete the [Application for change to the Register](#) (pdf);
- include any supporting documents; and
- fax the application to 02 5124 9305 or post to:

Health Protection Service  
Locked Bag 5005  
Weston Creek ACT 2611

Applications should be legible and address all mandatory fields. Incomplete or illegible applications will be returned to the applicant for further information.

If you would like more information on the Register or would like to discuss the application process, please contact the Health Protection Service on (02) 5124 9700 or email [hps@act.gov.au](mailto:hps@act.gov.au).

## *Review*

An applicant will be notified of the outcome of their application for change(s) to the Register. If you do not agree with the decision you may seek a review. Applications for review should be made in writing to the Health Protection Service at the above address.

### Accessibility

If you have difficulty reading a standard printed document and would like an alternative format, please phone 13 22 81.



If English is not your first language and you need the Translating and Interpreting Service (TIS), please call 13 14 50.

For further accessibility information, visit: [www.health.act.gov.au/accessibility](http://www.health.act.gov.au/accessibility)

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