

**LEGAL NOTICE NO.....2020**

**THE URBAN GOVERNMENT ACT, 2020**

(Act No. 8 of 1969)

**THE MBABANE MUNICIPAL BYE LAWS FOR THE REGISTRATION OF FOOD PREMISES**

(Under section 77)

It is hereby notified under general information that in exercise of the powers conferred by section 77 of the Urban Government Act No. 8 of 1969, the Municipal Council of Mbabane has resolved to make the following Municipal Bye-Laws.

***Citation and Commencement***

1. This bye-law shall be known as The Mbabane Municipal Bye laws for the Registration of Food Premises 2020 and shall come into force on the date of Publication in the Gazette.

***Interpretation***

'Categorization' shall have the same meaning as classification

'Classification' means assigning of a category by risk

"Municipality" means local area under the jurisdiction of Mbabane Urban Area....

***Registration of food outlets:***

2. All food outlets situated within the urban area of Mbabane shall be subject to the annual registration as stipulated by the municipality. All food premises shall apply for registration within three months before the expiry of the registration, an inspection will be conducted within a month before the expiry.

***Purpose***

The purpose of these bye laws is to ensure that:

3. The Municipal Council keeps an up-to-date inventory of all food premises within Mbabane so that the premises are all inspected from time to time. The frequency of the inspection visits will depend on the Level of Service Charter (LSC) which is based on the type of business and risks involved.
4. To ensure that design drawings are appropriate and relevant to the type of food premise.
5. Allow for Linear Flow process control.

***Registration of food premises prior to construction:***

6. Prior to construction, the applicant shall submit building plans to the municipality as per the provisions of the Building Act of 1968 and a completed registration form attached to the building plan
7. Building plans of new food outlets shall be designed such that they present a linear flow to prevent cross contamination
8. On approval of the building plans, the food outlet shall be issued with a provisional registration certificate which is subject to final approval of the completed building structure
9. On approval of the building, the food outlet shall be registered and given a classification which specifies the risk ranking of the facility.

***Registration of food outlets in existing buildings:***

Applicants who want to operate food outlets in existing buildings shall:

10. Ensure that the layout of the premises allows a linear flow process of food processing from receiving to serving to avoid contamination
11. Submit drawings to MCM showing the linear flow processing of the food outlet. drawings for food outlets that are not in a linear flow shall be rejected.
12. On approval of the drawings, the food outlet shall be registered provisionally pending completion of the necessary renovations
13. Where renovations are not necessary, the food outlet shall be registered unconditionally.

***Registration of existing food outlets:***

Existing outlets shall be registered in the following manner:

14. All food premises shall be registered with the municipality to ensure that they are classified and inspected to protect the health of the consumer.
15. Applicants shall fill the application forms for registration which shall be made available on the Council website and within the municipal offices
16. Applicants shall properly fill the application forms and attach the drawings of the food outlets.
17. Food outlets that partially meet the requirements shall be given a provisional registration which shall be valid for three months.
18. Food outlets that do not meet the requirements shall not be registered

***Registration conditions:***

Food outlets shall:

19. Be designed such that they present a linear flow
20. Are in compliance with the Public Health (Food Hygiene) Regulations of 1973, the Town Planning Scheme and the Building Act of 1968
21. Premises that are already in existence and have been registered, and want to renew their registration, should in addition to (2) above, shall not be below the C grade.

***Change of use:***

22. Premises that want to change the style of business must submit an application to Council so that the premises are appropriately categorised and registered.

***Offences and penalties:***

23. It shall be an offence not to register food premises existing within the urban area. Failure to register within three (3) months food premises will face imminent closure and pay a penalty not less than one thousand emalangeni

24. A food premise that fails to register up to three (3) months after the expiry of the registration will pay a penalty not less than one thousand emalangi and will subsequently be closed