STATUTORY INSTRUMENTS

1985 No. 1932

FOOD

The Welfare Food (Amendment) Order 1985

Made - - - -	10*th December* 1985
Laid before Parliament	11*th December* 1985
Coming into Operation	1*st January* 1986

The Secretary of State for Social Services, as respects England, and the Secretary of State for Wales, as respects Wales, and the Secretary of State for Scotland, as respects Scotland, in exercise of powers conferred by sections 4 and 7 of the Emergency Laws (Re-enactments and Repeals) Act 1964(**a**) and now vested in them(**b**), and of all other powers enabling them in that behalf, hereby make the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Welfare Food (Amendment) Order 1985 and shall come into operation on 1st January 1986.

(2) In this Order any reference to a numbered article or schedule is a reference to the article or schedule bearing that number in the Welfare Food Order 1980(**c**).

Amendment of Article 2(1)

2. Article 2(1) (interpretation) shall be amended as follows—

(*a*) for the definition of "approved price" there shall be substituted the following definition:—

> " 'approved price' means the lowest price which in the ordinary course of his business a supplier charges any of his customers in the relevant period for a pint of, or if he supplies milk only in metric measures, for half a litre of, pasteurised milk within the meaning, as respects England and Wales, of the Milk (Special Designations) Regulations 1977(**d**) and, as respects Scotland, of the Milk (Special Designations) (Scotland) Order 1980(**e**);";

(*b*) the definition of "Milk Order" shall be omitted; and

(**a**) 1964 c. 60.
(**b**) *See* Secretary of State for Social Services Order 1968 (S.I. 1968/1699), Article 2 and the Transfer of Functions (Wales) Order 1969 (S.I. 1969/388).
(**c**) S.I. 1980/1648, as amended by S.I. 1981/1292 and 1983/379.
(**d**) S.I. 1977/1033. (**e**) S.I. 1980/1866.

(*c*) after the definition of "nursing mother" there shall be inserted—

" 'relevant period' means a period of seven consecutive days beginning with a Sunday during which free welfare milk is supplied to a beneficiary in exchange for a token under article 9(2)(*a*);".

Amendment of Article 4(1)

3. In Article 4(1) (entitlement to welfare milk) there shall be the following amendments—

(*a*) in sub-paragraph (*a*) after the words "liquid milk" there shall be inserted the words "or, where the supplier supplies liquid milk only in metric measures, 4 litres of liquid milk,"; and

(*b*) in sub-paragraph (*b*) for the words "2 packs" there shall be substituted the words "900 grams".

Amendment of Article 9(2)

4. In Article 9(2) (use of tokens) there shall be the following amendments—

(*a*) in sub-paragraph (*a*) after the words "7 pints of" there shall be inserted the words "or, as the case may be, 4 litres of"; and

(*b*) in sub-paragraph (*b*) for the words "2 packs" there shall be substituted the words "900 grams".

Amendment of Article 10

5. In Article 10 (suppliers of and charges for milk) there shall be the following amendments—

(*a*) in paragraph (1) for the words "supply 7 pints of milk" there shall be substituted the words "supply milk at the rate specified in Article 4(1)(*a*)"; and

(*b*) for paragraph (2) there shall be substituted the following paragraph—

"(2) A supplier may accept a token for free welfare milk as part payment of the price of milk supplied to a beneficiary where the price of such milk exceeds the approved price on account of the designation or quantity of milk supplied.".

Amendment of Article 11

6. In Article 11 (absence for less than a week) there shall be the following amendments—

(*a*) after the words "7 pints" there shall be inserted the words "or, as the case may be, 4 litres,"; and

(*b*) after the words "each pint" there shall be inserted the words "or, as the case may be, each half litre,".

Amendment of Article 12

7. In Article 12 (absence for a week) after the words "7 pints of" there shall be inserted the words "or, as the case may be, 4 litres of,".

Amendment of Article 13

8. In Article 13 (submission of tokens by suppliers) there shall be the following amendments—

(*a*) in paragraph (1) the words "7 pints of" shall be omitted; and

(*b*) in paragraph (2) for the words "In Scotland, a supplier" there shall be substituted the words "A supplier".

Amendment of Article 18(2)

9. In Article 18(2) (supplier losing possession of tokens) after the words "7 pints of" there shall be inserted the words "or, as the case may be, 4 litres of,".

Amendment of Schedule 3

10. In Schedule 3 (certain families in special circumstances) in the third column of the Table, in paragraph (*a*)(i) after the word "day" there shall be inserted the words "or, if the supplier supplies milk only in metric measures, half a litre per day".

Signed by authority of the Secretary of State for Social Services.

Barney Hayhoe,
Minister of State,
Department of Health and Social Security.

3rd December 1985.

Nicholas Edwards,
Secretary of State for Wales.

4th December 1985.

George Younger,
Secretary of State for Scotland.

10th December 1985.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order further amends the Welfare Food Order 1980 "the 1980 Order" by substituting in article 2 of the 1980 Order a new definition of "approved price", which provides that in Great Britain the amount which a supplier may be reimbursed for the supply of welfare milk shall be the lowest price which in the ordinary course of his business is charged by him to customers for a pint of pasteurised milk or, where the supplier supplies milk only in metric measures, for half a litre of such milk (article 2).

The Order also amends the 1980 Order by making provision for welfare milk to be available in litres as well as pints; and for entitlement to dried milk to be measured at the rate of 900 grams per week instead of at the rate of 2 packs per week (article 3).

The Order extends article 13 of the 1980 Order to require a supplier in England and Wales, in addition to Scotland, to give a certificate specifying the approved price (and, if required by the Secretary of State, other information) when submitting tokens to the Secretary of State (article 8(*b*)).

The other amendments are consequential on the provision made by article 3 for milk to be available in metric measures (articles 4, 5(*a*), 6 to 8(*a*) and 9) and on the new definition of approved price (articles 5(*b*) and 10).

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