

2011 No. 1190

EDUCATION, ENGLAND

The Education (Nutritional Standards and Requirements for School Food) (England) (Amendment) Regulations 2011

<i>Made</i>	- - - -	<i>28th April 2011</i>
<i>Laid before Parliament</i>		<i>5th May 2011</i>
<i>Coming into force</i>	- -	<i>1st September 2011</i>

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by sections 114A and 138(7) and (8) of the School Standards and Framework Act 1998(a):

Citation and commencement

1. These Regulations may be cited as the Education (Nutritional Standards and Requirements for School Food) (England) (Amendment) Regulations 2011 and come into force on 1st September 2011.

Amendment of the Education (Nutritional Standards and Requirements for School Food) (England) Regulations 2007

2.—(1) The Education (Nutritional Standards and Requirements for School Food) (England) Regulations 2007(b) are amended as follows.

(2) In regulation 2(1), after the definition of “the Fruit Juices Regulations” insert—

““boarding school” means a school which has boarding pupils, whether or not it also has day pupils;”.

(3) For regulation 7, substitute—

“7.—(1) Subject to paragraphs (2) and (3), food provided to pupils on school premises on a school day before 6 p.m. otherwise than as part of a school lunch must be provided in accordance with the requirements set out in Schedule 4.

(2) Paragraph (1) does not apply in relation to any part of school premises which is under the control of another person by virtue of a transfer of control agreement.

(3) The requirements set out in paragraphs 6 and 7 of Schedule 4 do not apply in relation to confectionery, snacks, cakes or biscuits provided to pupils at a boarding school as part of an evening meal.”.

(a) 1998 c.31. Section 114A was substituted for section 114, as originally enacted, by section 86(1) of the Education and Inspections Act 2006 (c.40). For the meaning of “prescribed” and “regulations”, see section 142(1) of the 1998 Act.
(b) S.I. 2007/2359, amended by S.I. 2008/1800.

28th April 2011

Sarah Teather
Minister of State
Department for Education

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Nutritional Standards and Requirements for School Food) (England) Regulations 2007 in order to allow boarding schools to provide pupils with confectionery, snacks, cakes and biscuits which do not comply with the relevant nutritional requirements if they are provided as part of an evening meal.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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