Application for
Food Business (Food Act 2014) Single and Multiple Sites
Registration under Food Act 2014

Before you begin, make sure you have everything you need.

Know what type of registration is required via the MPI "My Food Rules" webpage

What type of registration are you applying for?

- ☐ Food Control Plan - Simply Safe and Suitable
- ☐ National Programme 3
- ☐ National Programme 2
- ☐ National Programme 1

Attach

- ☐ Completed Scope of Operations document for your food sector - attached
- ☐ An internal floor plan including kitchen details,
- ☐ A copy of the site plan for each address (if multiple sites)
- ☐ A copy of your menu
- ☐ If your business is a registered limited liability company, a copy of the Company Registration Certificate
- ☐ You can confirm that the operator of the food business is resident in New Zealand within the meaning of section YD1 or YD2 (excluding section YD2(2)) of the Income Tax Act 2007.

On approval of your application, you will be issued an invoice for the appropriate fee. Refer to our current Fees and Charges or telephone our Health Team on 0800 727 059.

PROCESSING TIME IS UP TO 20 WORKING DAYS FROM THE DATE WE DETERMINE THAT YOUR APPLICATION IS COMPLETE

1 Operator of food business

Legal name of entity/person registering/operator	
	I have attached a copy of the company name registration from the New Zealand Companies Office (www.companiesoffice.govt.nz)
New Zealand Business Number	
	If you have a New Zealand business number (NZBN), provide this. For more information about NZBN's, including how get one, see www.nzbn.govt.nz
Trading name	
Postal address	
Physical address (premises location if different to postal address)	
☐ This address is a private dwelling/house, and I wish it to be withheld from the public register	
Mobile Food Premises Details (if your business is a mobile food van)	Vehicle Plate Number:

Operator Contact Person Details

The contact details entered below will be used for communication about your registration. Please contact Council if these details change.

Name	
Mobile	
Email	
Position	

2 Who will be doing your verification?

Kaipara District Council for FCP's	☐	By choosing Kaipara District Council as your verification agency, you agree to the terms and conditions set out in Appendix 1
Kaipara District Council for NP's	☐	By choosing Kaipara District Council as your verification agency, you agree to the terms and conditions set out in Appendix 1
Other – Insert name of third party verification agency		
National Programmes only	☐	If you have not chosen Kaipara District Council as your verification agency, you must provide a letter of confirmation from your chosen verification agency.

3 Compliance with the Resource Management Act 1991 and Building Act 2004.

Have any structural or physical changes been made to the premises since the last building consent or code compliance certificate was issued?	☐	Yes	☐	No
Are there any proposed structural or physical changes to the premises?	☐	Yes	☐	No
Has there been, or is there, a proposed 'Change to Use' to the premises?	☐	Yes	☐	No
Does the premises have a current Building Warrant of Fitness (BWOF)?	☐	Yes	☐	No
Is a Building Warrant of Fitness required for the premises e.g. extractor fan?	☐	Yes	☐	No

Please attach a copy of the current floor plan, a detailed kitchen floor plan, site plan and menu

4 Collection of Personal Information

Pursuant to Principle 3 of the Privacy Act 2020, we advise that:

- This information is being collected for the purpose of registering under the Food Act 2014; and
- The recipient of this information, which is the agency that will collect and hold the information, is Kaipara District Council, 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; however, 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 every applies; and
- Under Principles 6 and 7 of the Privacy Act 2020, you have the right to access, and correction of, any personal information that you have provided.

Please note that some of the information you provide will be held on a public register.

5 Collection of Official Information

All information provided to the Ministry for Primary Industries is official information 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, the Ministry for Primary Industries must consider any such request in accordance with its obligations under the Official Information Ac 1982 and any other applicable legislation.

6 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. The operator of the food business is able to comply with the requirements of the Food Act 2014, and
5. I agree to the terms and conditions as described in Appendix 1 of this document.

Name		Job Title	
Signature		Date	

7 **Multiple Sites** – only complete this section if your business has more than one physical site. Tick box if you wish the address to be withheld from the public register because it is a private dwelling.			
Site name (i.e. trading as)			
Site day to day manager			
Address			
Town		Postcode	
Site name (i.e. trading as)			
Site day to day manager			
Address			
Town		Postcode	
Site name (i.e. trading as			
Site day to day manager			
Address			
Town		Postcode	
PLEASE NOTE verification outcomes will apply to all associated multi-site businesses			

8 Final Check

Final check before sending your application to:

Kaipara District Council
Private Bag 1001
Dargaville 0340

Have you:	
☐	Filled this form in completely and legibly
☐	Attached the complete 'Scope of Operations' document
☐	Attached current floor plan including kitchen details, and site plan for your premises
☐	Attached a copy of your menu
☐	Attached confirmation letter from your verification agency if other than Kaipara District Council (for National Programmes only)
☐	Attached copies of company registration certificates if you have a registered limited liability company
☐	Have read and signed the Applicant Statement

9 Fees – 2026/2027 Fees and Charges, Kaipara District Council

Food Control Plan		National Programmes	NP 1	NP 2&3
Registration – new, then annually	$293.00	Registration – new, then every two years	$293.00	$293.00
Verification	$806.00	NPI Verification	$412.00	$643.00
MPI Food Business Levy	$99.19	MPI Food Business Levy	$99.19	$99.19
Total	$1,198.19	Total	$804.19	$1,035.19
All prices include GST				

10 How to pay

1. **You can pay online** via the KDC Website Pay an invoice - My Kaipara

2. **You can at one of our offices located at:**
   32 Hokianga Road, Dargaville
   or
   6 Molesworth Drive, Mangawhai

3. **Via internet banking**:
   Please use your business name as a reference
   Kaipara District Council
   02-0380-0090743-001
   Bank of New Zealand

Appendix 1 – Food Business Verification Terms and Conditions

Kaipara District Council ("Council") is a registration authority under the Food Act 2014 ("the Act") for food control plans ("the Plans") and food businesses subject to a national programme ("the Programme").

The Ministry for Primary Industries ("the Ministry") has appointed Council a verifier under the Act to verify food businesses subject to the Plans and the Programme.

Under the Act, any appropriately recognised agency or person can verify a business operating under the Programme.

The following terms and conditions apply to food businesses which have agreed with Council to act as their verifier.

Verification

- Council will conduct its verification function under the Act and the Food Regulations 2015 ("the Regulations")
- Council will obtain evidence which, in its discretion, allows it to consider whether or not a food business complies with the Programme and with the relevant provisions of the Act and Regulations
- The nature 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 food safety with each type of business.
- At the end of the verification, Council will provide the food business with an outcome report for each verification topic covered. Possible outcomes are:
  - **Performing**: fully meeting applicable requirements of the Act
  - **Conforming**: adequately meeting applicable requirements of the Act. Observations will be made on the potential for a current activity to deteriorate into non-conformance if allowed to persist.
  - **Non-conforming**: applicable requirements of the Act are not fully met but the deficiency(s) are not likely to affect the safety or suitability of food, and
  - **Non-complying**: applicable requirements of the Act are not met, and findings can be referenced to an offence provision in part 4 of the Act.
- 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; and
- Council will provide the Ministry with information from 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; and
- 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, 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; and
- They will notify Council of any further information, including any post verification events, which may have a bearing on the verification.

Fees and Charges

Council's fees and charges document can be found on Kaipara District Council's website https://www.kaipara.govt.nz/ under the 'Services' tab. Verification fees are subject to periodic review in accordance with the Act. Fees are payable on invoice, completion of verification and registration renewal.

Term and Termination

The food business may terminate the agreement with Council at any time by giving one (1) month written notice. Council may terminate the agreement and stop providing 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, Conflicts of Interest, Impartiality

Policy: Conflict of Interest

The Territorial Authority (TA) will endeavour to identify and manage perceived conflicts of interest.

All team members have the responsibility for identifying actual and perceived conflict of interest issues and notify the Manager, Bylaws Compliance, when a conflict of interest arises.

All work is to be completed without time constraints, intimidation, or other factors that could influence verification results.

The Manager, Bylaws Compliance, has the responsibility to ensure actual and perceived conflicts of interest are managed appropriately.

Environmental Health Team (EHT) members will ensure actual and perceived conflict of interests are managed by:

- Avoiding any work on any aspect of any project where a conflict would occur.
- Ensuring EHT members are free from any commercial, financial, political or other pressures that might affect their independence.
- Not accepting any bribes.
- Ensuring that team members do not have any professional input into any Food Control Plan or National Programme Plan that they or their immediate family members (whether as individuals or as part of a family trust, partnership or company), have an interest in as owners or operators.
- If a team member has had input into the development of such plan, they are not permitted to conduct the verification process of the plan. This will be conducted by an independent party, and they will have no role in this process.

In the hospitality industry an offer of food is commonplace and is not normally any attempt to disestablish the independence of the verifier. It is not necessary to report offers of free food made at the time of a verification audit or subsequent visit in this context of hospitality. However, it is not appropriate to accept offers of food or alcohol as this may introduce perceived conflict of interest. Kaipara District Council does consider it appropriate to accept the offer of a non-alcoholic drink in the course of a verification meeting.

Policy: Impartiality

The Environmental Health Officer (EHO), as a verifier, may need to discuss management plans, implementation and corrective actions, while remaining impartial and independent. In these situations, the verifier needs to work with the operator in a proactive manner to fix problems, facilitate compliance and help with capacity building.

A proactive manner means:

- Providing constructive, educative critique.

A proactive manner does not mean:

- Assuming accountability for operator compliance
- Acting in the capacity of a quality assurance manager
- Acting as an advocate between the company and MPI
- Assuming ownership for drafting documentation for the operator
- Providing commercial services for non-mandatory activities.

Feedback on unacceptable outcomes:

Independence must not be compromised when providing feedback to an operator about an unacceptable outcome. The verifier should explain why an outcome is unacceptable and identify which legal requirements have not been met. The verifier and the operator should then agree on corrective actions to rectify non-compliance.

Impartial means:

- Maintaining neutrality
- Acting lawfully and objectively
- Ensuring actions are not affected by personal interests or relationships.
- Declining gifts or benefits that place the verifier under any obligation or perceived influence.
- Carrying out functions unaffected by personal beliefs
- Never misusing position for personal gain
- Effective separation of consultancy and assessment work for same client.

Complaints and Appeals

The EHO will advise operators of their right to submit a complaint or appeal regarding a decision made by the EHO. Complaints and appeals will be managed impartially, confidentially, and in a timely manner.

1. All complaints or appeals must be received in writing i.e. email, letter etc.
2. Complaints may also be registered via the Council's online portal "Have Your Say", which can be accessed from the Council's website home page.
3. The Manager, Quality Assurance (MQA) will confirm with the complainant, within 48 hours, that Council has received and will investigate the complaint.
4. The MQA will provide an expected timeframe for completion and inform the complainant of the outcome.
5. When a complaint does not relate to an Environmental Health function, the complaint will be referred to the appropriate section of the TA.
6. When a complaint does relate to an EH Function, the Manager, Bylaws Compliance, determines whether the complaint is of a genuine nature and warrants further investigation.
7. Copies of complaints will be held by the MQA in the Complaint File. Records will be kept indefinitely.
8. If the complainant does not accept that a decision is justified, the EHT must inform the operator that they can take the complaint to MPI.
9. The EHT must supply evidence to MPI, including the original complaint, original decision, and supporting information.
10. The EHT must define the process for contacting MPI.

Complaints and Appeals can be made directly to the Ministry for Primary Industries (MPI) contact MPI by telephone 0800 008 333 or info@mpi.govt.nz.

Confidentiality

All information obtained during verification shall be treated as confidential, in particular proprietary information that is made available to the verifier and kept secure. Ownership of intellectual property, which includes the operations and activities of operators, will be recognised.

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/site visit.

The verification report is prepared for the food business and the MPI only. The food business agrees not to disclose the verification report to any third party. 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 inspection 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 verification.

Appendix 2 – Other Important Information

Information for Application

To complete this application, you will need to answer all the questions, supply all requested documentation and pay the prescribed fee. Building or Resource Consent may be required.

Refer below for definitions to help you complete the application form.

You can also visit the MPI website to see whether you fit under a Food Control Plan or National Programme – go to: mpi.govt.nz/food-business/food-safety-rules/

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.

All new registrations will have their Food Control Plan verified within 6 weeks of their application being approved.

On approval of your application, you will be issued an invoice for the appropriate fee. Refer to our current Fees and Charges or telephone our Health Team on 0800 727 059.

Description	Definition
Registration Authority	This will be Kaipara District Council
Verification Agency	The name of the organisation(s) responsible for verifying your business e.g. Kaipara District Council for Template Food Control Plans or another third-party verifier for National Programmes
Legal name	The name of the entity who is legally responsible for the registration e.g. individual, partnership or registered company
NZ Business number	New Zealand Business Number (if any) of the entity responsible for the registration (this can be found on the Companies Register at companies.govt.nz)
Day-to-day manager	The position of the manager responsible for the day-to-day operation of the Food Control Plan or National Programme e.g. head chef
Multi-site business	Multi-site means there is more than one address where food is traded, and you would like to register all sites under one application
Residency	Applicants for registration and every operator of a food business must be a resident of New Zealand within the meaning of the Income Tax Act. In summary, an individual will be a tax resident if they have a permanent place of abode within New Zealand or are personally present in New Zealand for more than 183 days in total in a 12-month period. A company is resident in New Zealand if it is incorporated in New Zealand or is managed or controlled from New Zealand. If you are uncertain of your tax residency status, please obtain professional advice prior to submitting your application.

Appendix 3 – Business Activities and Categorisation

Below are some examples of which programme might relate to your business – for further information visit the Ministry for Primary Industries website http://mpi.govt.nz/food-safety/food-act-2014/where-do-i-fit/

Tools	Activity	Examples
Template Food Control Plans	If you prepare or manufacture and serve meals, snacks or beverages for consumers to eat immediately: • at the place of business • for home delivery • for takeaway • at a venue other than where the food is prepared • for a mobile or vehicle-based business	• bars, cafes, restaurant • businesses that prepare, or prepare and deliver, takeaway meals (e.g. pizzas) • corporate or commercial catering, including on a marae • hospitals, hospices and other residential care facilities such as rest homes • providers of catering services, including at defence, prison and educational facilities
National Programmes	If you only handle food such as: • heating or defrosting food • scooping ice cream • handling hot food from a pie warmer	• dairy or service station
Neither an FCP nor National Programme (exempt, no registration, no further action required)	Accommodation providers: • providing food for up to 10 guests • providing only snacks or breakfasts • providing guests with pre-packaged snacks, or breakfasts, or both • very small-scale catering and service activities	• a small farm stay where guests are invited to dine with their host • motels • backpackers lodge
	Very small-scale catering and service activities where verification or enforcement is not possible due to infrequency or inaccessibility	• climbing huts

Tools	Activity	Examples
	Clubs, organisations and societies: • selling food, they have produced to members at an event where selling food is not the main purpose • selling food to members and guests at events or gatherings where trade in food is not the main purpose	• during a club sports game • church preparing and selling food to its members • bring-a-plate for members at a club AGM • sausage sizzle on match day

Office Use Only						
Building Team check	☐	Yes	☐	No	☐	Not applicable
Approved by				Dated		

Planning Team check	☐	Yes	☐	No	☐	Not applicable
Approved by				Dated		

Licence number		Customer number	
MPI number		Valuation number	

Conflict of Interest	☐	Yes	☐	No