



# Food (Scotland) Act 2015

## 2015 asp 1

### PART 1

#### FOOD STANDARDS SCOTLAND

##### *Membership*

#### **6 Number and appointment of members**

- (1) Food Standards Scotland is to consist of—
  - (a) a person appointed by the Scottish Ministers to chair Food Standards Scotland, and
  - (b) no fewer than 3 nor more than 7 other members appointed by the Scottish Ministers.
- (2) A person may not be appointed as a member if the person is—
  - (a) a member of the Scottish Parliament,
  - (b) a member of the House of Commons,
  - (c) a member of the European Parliament,
  - (d) an office-holder in the Scottish Administration,
  - (e) a councillor of any local authority,
  - (f) an employee of any local authority.
- (3) The Scottish Ministers must make appointments of members of Food Standards Scotland in a manner which encourages equal opportunities and in particular the observance of the equal opportunity requirements.
- (4) In subsection (3), “equal opportunities” and “equal opportunity requirements” have the same meanings as in Section L2 of Part 2 of Schedule 5 to the Scotland Act 1998.
- (5) Membership is (subject to sections 7 and 18) for such period and on such terms and conditions as the Scottish Ministers may determine.
- (6) A member may resign by informing the Scottish Ministers in writing to that effect.
- (7) A person may be re-appointed on, or after, ceasing to be a member.

*Changes to legislation: There are currently no known outstanding effects for the Food (Scotland) Act 2015, Cross Heading: Membership. (See end of Document for details)*

- (8) The Scottish Ministers may assign to one of the members appointed under subsection (1)(b)—
- (a) the function of deputising for the person appointed under subsection (1)(a),
  - (b) the function of chairing Food Standards Scotland during any period when there is no person appointed under subsection (1)(a).
- (9) A member to whom such a function is assigned—
- (a) is assigned the function for such period as the Scottish Ministers may specify in the assignment,
  - (b) may resign the assignment by informing the Scottish Ministers in writing to that effect,
  - (c) is assigned and ceases to be assigned the function in accordance with such terms and conditions as the Scottish Ministers may determine.

#### Commencement Information

**II** [S. 6](#) in force at 1.4.2015 by [S.S.I. 2015/99](#), [art. 2](#)

## 7 Early ending of membership

- (1) A person's membership of Food Standards Scotland ends if the person becomes—
- (a) a member of the Scottish Parliament,
  - (b) a member of the House of Commons,
  - (c) a member of the European Parliament,
  - (d) an office-holder in the Scottish Administration,
  - (e) a councillor of any local authority,
  - (f) an employee of any local authority.
- (2) The Scottish Ministers may end a person's membership of Food Standards Scotland if—
- (a) the person becomes an undischarged bankrupt, or
  - (b) the Scottish Ministers are satisfied that the person—
    - (i) has, without the permission of Food Standards Scotland, been absent from its meetings for a period longer than 6 consecutive months,
    - (ii) is unable to perform the functions of a member, or
    - (iii) is unsuitable to continue as a member.

#### Commencement Information

**I2** [S. 7](#) in force at 1.4.2015 by [S.S.I. 2015/99](#), [art. 2](#)

## 8 Remuneration and expenses of members

- (1) A member of Food Standards Scotland is entitled to—
- (a) such remuneration as the Scottish Ministers may determine,
  - (b) such sums as the Scottish Ministers may determine to reimburse or compensate the member in relation to expenses properly incurred in the exercise of the member's functions.

---

**Changes to legislation:** There are currently no known outstanding effects for the Food (Scotland) Act 2015, Cross Heading: Membership. (See end of Document for details)

---

- (2) It is for Food Standards Scotland to pay any remuneration and other sums to which its members are entitled by virtue of subsection (1).

---

**Commencement Information**

**I3**    [S. 8](#) in force at 1.4.2015 by [S.S.I. 2015/99](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Food (Scotland) Act 2015, Cross  
Heading: Membership.