

*These notes relate to the Schools (Health Promotion and Nutrition)
(Scotland) Act 2007 (asp 15) which received Royal Assent on 19 April 2007*

SCHOOLS (HEALTH PROMOTION AND NUTRITION) (SCOTLAND) ACT 2007

EXPLANATORY NOTES

THE ACT

Food and drink

Section 6: School meals and snacks

29. This section makes a number of amendments to section 53 of the 1980 Act in relation to the provision of meals and snacks in schools.
30. Subsection (3) inserts new subsections (2) to (2D) into section 53. New subsection (2) re-enacts the existing rule that school lunches must be charged for unless the pupil is eligible for a free school lunch under subsection (3) of section 53. New subsections (2A) to (2C) give education authorities the power to provide pupils, either free of charge or subject to a charge, with food and drink at any time of the day (other than at lunchtime which is covered by new subsection (2)). This will, for example, enable education authorities to offer all children breakfasts or snacks in the morning or afternoon. New subsection (2B) provides that the food or drink can be provided for free or may be charged for. Where the food or drink is provided for free, new subsection (2C) provides that education authorities may target only certain children for free provision, or may offer food or drink for free at certain times of the day only. New subsection (2D) provides that where a charge is levied for a particular food or drink (whether as part of a lunch or other meal or snack) the amount charged has to be the same for each pupil who is charged.
31. Subsection (5) defines “school lunch” and provides that these words attract this definition in new sections 53A and 53B of the 1980 Act as well as in section 53.