



Food (Scotland) Act 2015

2015 asp 1

PART 1

FOOD STANDARDS SCOTLAND

Step-in powers

18 Serious failure

- (1) This section applies where the Scottish Ministers consider that there has been a serious failure by Food Standards Scotland to exercise any of its functions.
- (2) The Scottish Ministers may give Food Standards Scotland such directions as they consider appropriate to remedy the failure.
- (3) But before doing so, the Scottish Ministers must consult Food Standards Scotland.
- (4) A direction under this section—
 - (a) must be in writing,
 - (b) must include a statement summarising the reasons for giving it.
- (5) The Scottish Ministers must publish any direction under this section (in such manner as they consider appropriate).
- (6) If Food Standards Scotland fails to comply with a direction under this section, the Scottish Ministers may give effect to it (and for that purpose, may exercise any function of Food Standards Scotland in place of it).
- (7) If Food Standards Scotland fails to comply with a direction under this section, the Scottish Ministers—
 - (a) may end the membership of all its members, and
 - (b) may, until new members are appointed, exercise any function of Food Standards Scotland in place of it (or appoint any other person to do so).

Commencement Information

11 S. 18 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: Step-in powers.