



# Food (Scotland) Act 2015

## 2015 asp 1

### PART 5

#### FINAL PROVISIONS

VALID FROM 01/04/2015

#### **59 Modification of enactments**

The schedule (which makes minor amendments to enactments and otherwise modifies enactments for the purposes of or in consequence of this Act) has effect.

#### **60 Subordinate legislation**

- (1) Each power of the Scottish Ministers to make an order or regulations under this Act includes power—
  - (a) to make different provision for different purposes,
  - (b) to make any supplementary, incidental, consequential, transitory, transitional or saving provision which they consider appropriate.
- (2) The following are subject to the affirmative procedure—
  - (a) an order under section 35(1),
  - (b) regulations under section 49(1) which modify section 38 or 45,
  - (c) regulations under section 49(7),
  - (d) an order under section 61 which adds to, replaces or omits any part of the text of this or any other Act.
- (3) All other orders and regulations under this Act are subject to the negative procedure.
- (4) Subsections (1) and (3) do not apply to an order under section 63(2).

#### **61 Ancillary provision**

The Scottish Ministers may by order make—

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*Status: Point in time view as at 14/01/2015. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Food (Scotland) Act 2015, PART 5. (See end of Document for details)*

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- (a) any supplementary, incidental or consequential provision which they consider appropriate for the purposes of, or in connection with, or for the purposes of giving full effect to, any provision made by, or by virtue of, this Act,
- (b) any transitional, transitory or saving provision which they consider appropriate for the purposes of, or in connection with, the coming into force of any provision of this Act.

## **62 Crown application**

- (1) Nothing in this Act affects Her Majesty in Her personal capacity.
- (2) The Crown is not criminally liable in respect of any contravention of a relevant provision.
- (3) But the Court of Session may, on the application of the Lord Advocate, declare unlawful any act or omission of the Crown in contravention of a relevant provision.
- (4) Despite subsection (2), a relevant provision applies to persons in the public service of the Crown as it applies to other persons.
- (5) In this section, “relevant provision” means provision in or under this Act.

## **63 Commencement**

- (1) This Part (except section 59) comes into force on the day after Royal Assent.
- (2) The rest of this Act comes into force on such day as the Scottish Ministers appoint by order.
- (3) Such an order may include transitional, transitory or saving provision.

## **64 Short title**

The short title of this Act is the Food (Scotland) Act 2015.

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