



Food (Scotland) Act 2015

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PART 3

ADMINISTRATIVE SANCTIONS

General

51 Lord Advocate's guidance

- (1) The Lord Advocate may issue guidance to enforcement authorities about the exercise by them, and their authorised officers, of functions under this Part in relation to fixed penalty notices and compliance notices.
- (2) The Lord Advocate must publish any such guidance (in such manner as the Lord Advocate considers appropriate).
- (3) Subsection (2) does not apply to the extent that the Lord Advocate considers that publication would, or would be likely to, prejudice—
 - (a) the effective exercise of the functions of enforcement authorities, or their authorised officers, under this Part,
 - (b) the prevention or detection of crime,
 - (c) the apprehension or prosecution of offenders, or
 - (d) the administration of justice.
- (4) Enforcement authorities must comply, and ensure that their authorised officers comply, with such guidance in exercising those functions.
- (5) The power in subsection (1) includes power to issue revised guidance (and references in this section to guidance are to be construed accordingly).