



Agriculture (Retained EU Law and Data) (Scotland) Act 2020

2020 asp 17

PART 2

COLLECTION AND PROCESSING OF DATA

13 Defined terms

- (1) This section defines certain expressions for the purposes of this Part.
- (2) “Agricultural activity” has the same meaning as in Article 4(1)(c) of Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy.
- (3) “Animal” means a vertebrate (other than a human) or invertebrate but does not include fish.
- (4) An “agri-food supply chain” is a supply chain for providing individuals with items of food or drink for personal consumption where the items consist of or include, or have been produced using (directly or indirectly and whether or not exclusively), the whole or part of—
 - (a) anything grown or otherwise produced in carrying on agriculture,
 - (b) any animal kept in carrying on agriculture,
 - (c) any animal or other thing (other than fish) taken from the wild.
- (5) The persons in an agri-food supply chain are—
 - (a) the individuals referred to in subsection (4) (the “ultimate consumers”),
 - (b) the persons carrying on the agriculture or (as the case may be) taking the things from the wild, and
 - (c) any other person in the supply chain between those persons and the ultimate consumers.
- (6) The persons closely connected with an agri-food supply chain are—

Changes to legislation: There are currently no known outstanding effects for the Agriculture (Retained EU Law and Data) (Scotland) Act 2020, Section 13. (See end of Document for details)

- (a) any person supplying seeds, stock, equipment, feed, fertiliser, pesticides, medicines or similar items to the persons referred to in subsection (5)(b) for use in the agriculture or taking,
 - (b) any person providing to the persons referred to in subsection (5)(b) or (c) services relating to—
 - (i) the health of animals or plants involved in the supply chain,
 - (ii) the safety or quality of the food or drink to be provided to the ultimate consumers,
 - (c) any person carrying on activities capable of affecting a matter mentioned in sub-paragraph (i) or (ii) of paragraph (b), and
 - (d) bodies representing persons within paragraphs (b) or (c) of subsection (5) or paragraphs (a), (b) or (c) of this subsection.
- (7) Activities of the kind mentioned in subsection (6)(c) are to be treated for the purposes of section 14(1) and (2) as connected with the supply chain, but this does not limit the generality of what is meant by “connected” with the supply chain.
- (8) “Processing”, in relation to information, means an operation or set of operations which is performed on information or on sets of information such as—
- (a) collection, recording, organisation, structuring or storage,
 - (b) adaptation or alteration,
 - (c) retrieval, consultation or use,
 - (d) disclosure by transmission, dissemination or otherwise making available,
 - (e) alignment or combination,
 - (f) restriction, erasure or destruction,
- and related expressions such as “processed” are to be construed accordingly.
- (9) In this section—
- “agriculture” includes any growing of plants or keeping of animals for the production of food or drink,
 - “plants” includes fungi,
 - “seeds” includes bulbs and other things from which plants are grown.
- (10) The Scottish Ministers may by regulations amend the definition of “agricultural activity”.
- (11) Regulations under subsection (10) are subject to the affirmative procedure.

Commencement Information

II S. 13 in force at 1.12.2020 by [S.S.I. 2020/373](#), **reg. 2(1)(a)**

Changes to legislation:

There are currently no known outstanding effects for the Agriculture (Retained EU Law and Data) (Scotland) Act 2020, Section 13.