



# Food (Scotland) Act 2015

## 2015 asp 1

### PART 1

#### FOOD STANDARDS SCOTLAND

##### *Food Standards Scotland*

## 1 Establishment

There is established a body corporate called Food Standards Scotland or, in Gaelic, Inbhe-Bidhe Alba.

### Commencement Information

**II** S. 1 in force at 1.4.2015 by S.S.I. 2015/99, art. 2

## 2 Objectives

- (1) The objectives of Food Standards Scotland are—
  - (a) to protect the public from risks to health which may arise in connection with the consumption of food,
  - (b) to improve the extent to which members of the public have diets which are conducive to good health,
  - (c) to protect the other interests of consumers in relation to food.
- (2) The risks referred to in subsection (1)(a) include risks caused by the way in which food is produced or supplied.
- (3) Food Standards Scotland must so far as reasonably practicable perform its functions in a way—
  - (a) which is compatible with its objectives, and
  - (b) which it considers most appropriate for the purpose of meeting those objectives.

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

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**Commencement Information**

**I2** S. 2 in force at 1.4.2015 by S.S.I. 2015/99, art. 2

### 3 General functions

- (1) The general functions of Food Standards Scotland are—
- (a) to develop (and assist the Scottish Ministers and public bodies and office-holders to develop) policies in relation to food matters and animal feeding stuffs matters,
  - (b) to advise, inform and assist the Scottish Ministers and public bodies and office-holders and other persons in relation to food matters and animal feeding stuffs matters,
  - (c) to keep the public adequately informed about and advised in relation to matters which significantly affect their capacity to make informed decisions about food matters,
  - (d) to keep users of animal feeding stuffs adequately informed about and advised in relation to matters which significantly affect their capacity to make informed decisions about animal feeding stuffs matters, and
  - (e) to monitor the performance of, and promote best practice by, enforcement authorities in enforcing food legislation.
- (2) Food Standards Scotland must so far as reasonably practicable comply with a request by the Scottish Ministers that—
- (a) in pursuance of subsection (1)(a), it develops a policy, or assists the Scottish Ministers or a public body or office-holder to develop a policy, in relation to a particular matter,
  - (b) in pursuance of subsection (1)(b), it gives advice, information or assistance to the Scottish Ministers, a public body or office-holder or another person, in relation to a particular matter,
  - (c) in pursuance of subsection (1)(c), it informs or advises the public in relation to a particular matter,
  - (d) in pursuance of subsection (1)(d), it informs or advises users of animal feeding stuffs in relation to a particular matter.

**Commencement Information**

**I3** S. 3 in force at 1.4.2015 by S.S.I. 2015/99, art. 2

### 4 Governance and accountability

- (1) Food Standards Scotland must so far as reasonably practicable operate in a way which—
- (a) is proportionate, transparent and accountable,
  - (b) constitutes good decision-making practice,
  - (c) develops and maintains effective links with the persons mentioned in subsection (3), and
  - (d) is consistent with any other principle of good governance which appears to it to constitute best practice.

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

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- (2) “Good decision-making practice” means—
- (a) consulting people who may be affected by decisions before taking them,
  - (b) having good information on which to take decisions and taking decisions based on that information,
  - (c) recording decisions and the reasons for them, and
  - (d) making decisions and the reasons for them publicly available.
- (3) The persons referred to in subsection (1)(c) are—
- (a) the Scottish Ministers,
  - (b) public bodies and office-holders with functions in relation to food matters or animal feeding stuffs matters.

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**Commencement Information**

**I4** S. 4 in force at 1.4.2015 by [S.S.I. 2015/99](#), [art. 2](#)

**5 Statement on performance of functions**

- (1) Food Standards Scotland must prepare for approval by the Scottish Ministers a statement setting out how it intends to perform its functions.
- (2) The statement must include information on how Food Standards Scotland intends—
- (a) to meet its objectives, and
  - (b) to operate in accordance with section 4.
- (3) The statement must be submitted to the Scottish Ministers by such time as they may direct.
- (4) The Scottish Ministers may approve the statement with such modifications as they consider appropriate.
- (5) Before approving the statement with modifications the Scottish Ministers must consult Food Standards Scotland.
- (6) As soon as practicable after the statement is approved under subsection (4), Food Standards Scotland must—
- (a) lay a copy of it before the Scottish Parliament, and
  - (b) publish it (in such manner as Food Standards Scotland considers appropriate).
- (7) Food Standards Scotland—
- (a) must review the statement from time to time, and
  - (b) may in consequence prepare and submit to the Scottish Ministers a revised statement.
- (8) Subsections (2) and (4) to (7) apply to a revised statement as they apply to the original statement.

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**Commencement Information**

**I5** S. 5 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: Food Standards Scotland.