



# 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, Section 18.