



# Food Standards Act 1999

## 1999 CHAPTER 28

### *The Food Standards Agency*

#### **1 The Food Standards Agency.**

- (1) There shall be a body to be called the Food Standards Agency or, in Welsh, yr Asiantaeth Safonau Bwyd (referred to in this Act as “the Agency”) for the purpose of carrying out the functions conferred on it by or under this Act.
- (2) The main objective of the Agency in carrying out its functions is to protect public health from risks which may arise in connection with the consumption of food (including risks caused by the way in which it is produced or supplied) and otherwise to protect the interests of consumers in relation to food.
- (3) The functions of the Agency are performed on behalf of the Crown.

#### **Commencement Information**

- II** [S. 1](#) wholly in force at 1.4.2000; [s. 1](#) not in force at Royal Assent see [s. 43\(2\)](#); [s. 1\(1\)](#) in force at 11.1.2000 by [S.I. 2000/92](#), [art. 2\(a\)](#); [s. 1](#) in force at 1.4.2000 in so far as not already in force by [S.I. 2000/1066](#), [art. 2](#)

#### **2 Appointment of members etc.**

- (1) The Agency shall consist of a chairman and deputy chairman and not less than eight or more than twelve other members, of whom—
  - (a) one member shall be appointed by the National Assembly for Wales;
  - (b) two members shall be appointed by the Scottish Ministers;
  - (c) one member shall be appointed by the Department of Health and Social Services for Northern Ireland; and
  - (d) the others shall be appointed by the Secretary of State.
- (2) The chairman and deputy chairman shall be appointed by the appropriate authorities acting jointly and, before appointing a person as one of the other members of the

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*Changes to legislation: There are currently no known outstanding effects for the Food Standards Act 1999, Cross Heading: The Food Standards Agency. (See end of Document for details)*

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Agency the authority making the appointment shall consult the other appropriate authorities.

- (3) Before appointing a person as chairman, deputy chairman or member of the Agency, the authorities or authority making the appointment shall—
  - (a) have regard to the desirability of securing that a variety of skills and experience is available among the members of the Agency (including experience in matters related to food safety or other interests of consumers in relation to food); and
  - (b) consider whether any person it is proposed to appoint has any financial or other interest which is likely to prejudice the exercise of his duties.
- (4) Schedule 1 (constitution etc. of the Agency) has effect.

### **3 Appointment of chief executive and directors.**

- (1) A chief executive shall be appointed for the Agency.
- (2) The chief executive shall be responsible for (among other things) securing that the activities of the Agency are carried out efficiently and effectively.
- (3) The first appointment under subsection (1) shall be made by the appropriate authorities acting jointly; and subsequent appointments shall be made by the Agency, subject to the approval of each of those authorities.
- (4) Directors shall be appointed for Wales, for Scotland and for Northern Ireland, each of whom shall be responsible under the chief executive for (among other things) securing that the activities of the Agency in Wales, Scotland or Northern Ireland (as the case may be) are carried out efficiently and effectively.
- (5) The first appointment under subsection (4) for Wales, for Scotland and for Northern Ireland shall be made by the appropriate authority for that part of the United Kingdom; and subsequent appointments shall be made by the Agency, subject to the approval of that authority.
- (6) The chief executive and the directors appointed under subsection (4) shall hold and vacate office in accordance with the terms of their appointments.

#### **Commencement Information**

**I2** S. 3 wholly in force at 1.4.2000; s. 3 not in force at Royal Assent see s. 43(2); s. 3(1)-(3) in force at 11.1.2000 and s. 3(4)(5) in force at 11.1.2000 for Scotland and for Wales and s. 3(6) in force for certain purposes at 11.1.2000 by S.I. 2000/92, art. 2(a)(b)(c); s. 3 in force at 1.4.2000 in so far as not already in force by S.I. 2000/1066, art. 2

### **4 Annual and other reports.**

- (1) The Agency shall prepare a report on its activities and performance during each financial year.
- (2) The Agency shall, as soon as possible after the end of each financial year, lay its report for that year before Parliament, the National Assembly for Wales, the Scottish Parliament and the Northern Ireland Assembly.

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(3) The Agency may from time to time lay other reports before any of those bodies.

## **5 Advisory committees.**

- (1) There shall be established an advisory committee for Wales, an advisory committee for Scotland and an advisory committee for Northern Ireland for the purpose of giving advice or information to the Agency about matters connected with its functions (including in particular matters affecting or otherwise relating to Wales, Scotland or Northern Ireland, as the case may be).
- (2) The Secretary of State may, after consulting the Agency, direct that an advisory committee for, or for any region of, England shall be established for the purpose of giving advice or information to the Agency about matters connected with its functions (including in particular matters affecting or otherwise relating to the area for which the committee is established).
- (3) The Agency may, after consulting the appropriate authorities, establish other advisory committees for the purpose of giving advice or information to the Agency about matters connected with its functions.
- (4) Schedule 2 (which contains supplementary provisions about advisory committees) has effect.

### **Commencement Information**

**I3** S. 5 wholly in force at 1.4.2000; s. 5 not in force at Royal Assent see s. 43(2); s. 5(1) in force at 11.1.2000 for Scotland and for Wales and s. 5(4) in force for certain purposes at 11.1.2000 by S.I. 2000/92, art. 2(b)(d); s. 5 in force at 1.4.2000 in so far as not in force by S.I. 2000/1066, art. 2

**Changes to legislation:**

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