
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 307

**The Animal By-Products (Enforcement)
(Scotland) Regulations 2013**

PART 6

Enforcement

Enforcement authority

22.—(1) These Regulations are enforced by—

- (a) subject to paragraph (2), a local authority; or
- (b) in relation to a food hygiene establishment, the Scottish Ministers.

(2) The Scottish Ministers may direct, in relation to a particular case or cases of a particular description, that the Scottish Ministers will enforce these Regulations in place of the local authority.

(3) In paragraph (1)(a) “local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994⁽¹⁾.

(4) In paragraph (1)(b), “food hygiene establishment” means an establishment referred to in regulation 5(2)(a) of the Food Hygiene (Scotland) Regulations 2006⁽²⁾ in respect of which the Food Standards Agency has enforcement functions under those Regulations.

(5) A body exercising functions by virtue of paragraph (1) or (2) is referred to in these Regulations as an enforcement authority.

⁽¹⁾ 1994 c.39, amended by the Environment Act 1995 (c.25), section 120(1) and Schedule 22, paragraph 232(1).

⁽²⁾ S.S.I. 2006/3.