

*These notes refer to the Food Standards Act 1999 (c.28)  
which received Royal Assent on 11 November 1999*

# **FOOD STANDARDS ACT 1999**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 18: Functions under other Acts***

65. This section introduces Schedule 3, concerning amendments to other enactments which confer functions on the Agency.
66. Much of the legislation which is amended by Schedule 3 has been devolved to Scotland. This means that many functions of Ministers of the Crown (i.e. the Secretary of State and Minister of Agriculture, Fisheries and Food) under the legislation have transferred to Scottish Ministers, and Parliament's role in relation to secondary legislation to the Scottish Parliament.
67. However, the provisions of the Scotland Act 1998, and orders made under it which give effect to the transfer, do not generally amend the text of Acts of Parliament to show what has been done. Thus when this Act amends Acts which have been subject to devolution, it does not attempt to alter the text of those Acts to reflect post-devolution responsibilities. Instead, the amendments are deemed to date from before the enactment of the Scotland Act, so that the provisions of that Act automatically transfer functions to the relevant parties in Scotland. This ensures that all the powers under the Scotland Act to make further provisions flowing from devolution are available.