

## SCHEDULE

### Article 2

## PART I

### MODIFICATIONS OF ACTS OF PARLIAMENT

#### **Food and Environment Protection Act 1985 (c. 48)**

**12.** In section 1 of the Food and Environment Protection Act 1985 (power to make emergency orders)–

- (a) in subsection (2), in the definition of “designating authority”(1), for “Secretary of State” in the second place where it occurs there is substituted “Scottish Ministers”; and
- (b) after subsection (11) there is inserted–

“(12) Where an order under this section is made by the Scottish Ministers, or is made on their behalf by the Food Standards Agency in accordance with an arrangement made under section 17 of the Food Standards Act 1999(2), this section shall have effect subject to the following modifications–

- (a) any reference to Parliament or to a House of Parliament shall be construed as a reference to the Scottish Parliament; and
- (b) in subsection (9), for “Parliament is dissolved or prorogued or during which both Houses are adjourned” there shall be substituted “the Scottish Parliament is dissolved or is in recess”.”.

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(1) The definition of “designating authority” in section 1(2) was substituted by the Scotland Act 1998 (Modification of Functions) Order 1999 (S.I. 1999/1756), Schedule, paragraph 10(2), and was amended by the Food Standards Act 1999 (c. 28), Schedule 5, paragraph 6.

(2) 1999 c. 28.