

*These notes relate to the Schools (Health Promotion and Nutrition)
(Scotland) Act 2007 (asp 15) which received Royal Assent on 19 April 2007*

SCHOOLS (HEALTH PROMOTION AND NUTRITION) (SCOTLAND) ACT 2007

EXPLANATORY NOTES

THE ACT

Food and drink

Section 9: Food and drink: guidance about sustainable development

36. This section inserts a new section 56E into the 1980 Act.
37. Subsection (2) of section 56E places a duty on education authorities to have regard to any relevant guidance issued by Scottish Ministers on the application of the principles of sustainable development. An education authority has to have regard to this guidance in three circumstances: (a) when the authority provides food and drink under s 53(1) (a) of the 1980 Act, (in effect any school meals or snacks); (b) when the authority provide services relating to the provision of that food or drink; or (c) when someone else provides the food or drink or associated services under an agreement entered into with the education authority.
38. Subsection (4) places a similar duty on the managers of grant aided schools to have regard to any relevant guidance issued by Scottish Ministers on the application of the principles of sustainable development. The duty applies to managers of grant aided schools when either: (a) they provide food or drink for pupils, or services relating to the provision of that food or drink; or (b) someone else provides the food or drink or associated services under an agreement entered into with the managers.
39. Subsection (5) provides that guidance under this section on sustainable development may include guidance about fair and ethical trading and/or the places where food or drink is produced or processed. These two topics are not essential elements of the guidance, the guidance may deal with a number of other aspects of the principles of sustainable development.