



# Food (Scotland) Act 2015

## 2015 asp 1

### FOOD (SCOTLAND) ACT 2015

#### PART 1

#### FOOD STANDARDS SCOTLAND

##### *Food Standards Scotland*

- 1 Establishment
- 2 Objectives
- 3 General functions
- 4 Governance and accountability
- 5 Statement on performance of functions

##### *Membership*

- 6 Number and appointment of members
- 7 Early ending of membership
- 8 Remuneration and expenses of members

##### *Staff*

- 9 Chief executive
- 10 Other staff

##### *Operational matters*

- 11 Proceedings
- 12 Committees
- 13 Validity of things done
- 14 Authority to exercise functions
- 15 Annual and other reports
- 16 General powers

##### *Legislation relating to public bodies*

- 17 Application of legislation relating to public bodies

*Changes to legislation: There are currently no known outstanding effects for the Food (Scotland) Act 2015. (See end of Document for details)*

---

*Step-in powers*

- 18 Serious failure

*Acquisition of information*

- 19 Duty to acquire, compile and keep under review relevant information  
20 Observations with a view to obtaining information  
21 Powers for persons carrying out observations  
22 Offences in relation to section 21

*Enforcement action*

- 23 Setting performance standards  
24 Reporting own enforcement activities  
25 Reporting on enforcement action by others  
26 Power to request information in relation to enforcement action  
27 Offences in relation to section 26  
28 Powers for persons monitoring enforcement action  
29 Offences in relation to section 28

*Issuing guidance on food-borne diseases*

- 30 Power to issue guidance on control of food-borne diseases

*Information sharing*

- 31 Publication and disclosure of advice and information

*Consequential provision*

- 32 Certain functions of Food Standards Agency ceasing to be exercisable

**PART 2**

**FOOD AND FEEDING STUFFS**

*Food information*

- 33 Food information

*Food hygiene information scheme*

- 34 Food hygiene information scheme

*Feeding stuffs*

- 35 Regulation of animal feeding stuffs

**PART 3**

**ADMINISTRATIVE SANCTIONS**

*Fixed penalty notices*

- 36 Fixed penalty notices  
37 Content and form of a fixed penalty notice  
38 Effect of a fixed penalty notice on criminal proceedings  
39 Restrictions on issuing of a fixed penalty notice  
40 Withdrawal of a fixed penalty notice

*Changes to legislation: There are currently no known outstanding effects  
for the Food (Scotland) Act 2015. (See end of Document for details)*

---

- 41 Income from fixed penalties to be paid to the Scottish Ministers

*Compliance notices*

- 42 Compliance notices  
43 Content and form of a compliance notice  
44 Failure to comply with a compliance notice  
45 Effect of a compliance notice on criminal proceedings  
46 Restrictions on issuing of a compliance notice  
47 Withdrawal of a compliance notice  
48 Appeal against a compliance notice

*General*

- 49 Power to make supplementary etc. provision  
50 Regulations  
51 Lord Advocate's guidance  
52 Interpretation of Part

**PART 4**

INTERPRETATION

- 53 Meanings of “food” and “animal feeding stuffs”  
54 Meaning of “food matter”  
55 Meaning of “other interests of consumers in relation to food”  
56 Meaning of “animal feeding stuffs matter”  
57 Meaning of “food legislation”  
58 General interpretation

**PART 5**

FINAL PROVISIONS

- 59 Modification of enactments  
60 Subordinate legislation  
61 Ancillary provision  
62 Crown application  
63 Commencement  
64 Short title

---

SCHEDULE — MODIFICATION OF ENACTMENTS

*Agriculture Act 1947*

- 1 In section 80 of the Agriculture Act 1947, after paragraph...

*Food and Environment Protection Act 1985*

- 2 (1) The Food and Environment Protection Act 1985 is amended...

*Food Safety Act 1990*

- 3 (1) The 1990 Act is amended as follows.

*Changes to legislation: There are currently no known outstanding effects  
for the Food (Scotland) Act 2015. (See end of Document for details)*

---

*Environmental Protection Act 1990*

- 4 (1) The Environmental Protection Act 1990 is amended as follows....

*Radioactive Substances Act 1993*

- 5 (1) The Radioactive Substances Act 1993 is amended as follows....

*Environment Act 1995*

- 6 In section 42 of the Environment Act 1995, after subsection...

*Food Standards Act 1999*

- 7 (1) The 1999 Act is amended as follows.

*Water Environment and Water Services (Scotland) Act 2003*

- 8 In section 11(6)(fa) of the Water Environment and Water Services...

*Gaelic Language (Scotland) Act 2005*

- 9 Section 10(3) of the Gaelic Language (Scotland) Act 2005 is...

*Regulatory Reform (Scotland) Act 2014*

- 10 In schedule 1 to the Regulatory Reform (Scotland) Act 2014,...

**Changes to legislation:**

There are currently no known outstanding effects for the Food (Scotland) Act 2015.