

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

## SCHEDULE

(introduced by section 59)

### MODIFICATION OF ENACTMENTS

#### *Agriculture Act 1947*

- 1 In section 80 of the Agriculture Act 1947, after paragraph (e) insert—  
“(f) to Food Standards Scotland for purposes connected with the carrying out of any of its functions.”.

#### **Commencement Information**

- I1** Sch. para. 1 in force at 1.4.2015 by S.S.I. 2015/99, art. 2

#### *Food and Environment Protection Act 1985*

- 2 (1) The Food and Environment Protection Act 1985 is amended as follows.  
(2) In section 1(12) the words “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the Food Standards Agency in accordance with an arrangement made under section 17 of the Food Standards Act 1999” are repealed.  
(3) In section 2, after subsection (6) insert—  
“(7) In the application of this section to Scotland, the references to the Food Standards Agency are to be ignored.”.

#### **Commencement Information**

- I2** Sch. para. 2 in force at 1.4.2015 by S.S.I. 2015/99, art. 2

#### *Food Safety Act 1990*

- 3 (1) The 1990 Act is amended as follows.  
(2) In section 6, after subsection (4) insert—  
“(4A) In the application of subsections (3) and (4) to Scotland, the references to the Food Standards Agency are to be read as references to Food Standards Scotland.”.  
(3) In section 13, after subsection (7) insert—  
“(8) In the application of this section to Scotland, the references to the Food Standards Agency are to be ignored.”.  
(4) In section 33—  
(a) in subsection (2), after “with” insert “ section 15C(1) above or ”,  
(b) in subsection (3), after “subsection (1)(b)” insert “ , section 15C(1) or section 15D(2) ”.  
(5) In section 34, for “section 35(2)” substitute “ section 35(A1), (A2) or (2) ”.

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(6) In section 35, before subsection (1) insert—

“(A1) A person guilty of an offence under section 15B(5) above shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

“(A2) A person guilty of an offence under section 15C(2) or 15D(3) above shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.”.

(7) In section 35, after subsection (1) insert—

“(1A) A person guilty of an offence under section 33(2), in so far as it relates to section 15C(1) or 15D(2), shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.”.

(8) In section 40, after subsection (5) insert—

“(6) In the application of this section to Scotland, the references to the Food Standards Agency are to be read as references to Food Standards Scotland.”.

(9) In section 41—

- (a) the existing provision becomes subsection (1),
- (b) after that subsection insert—

“(2) In the application of this section to Scotland, the references to the Food Standards Agency are to be read as references to Food Standards Scotland.”.

(10) In section 42, after subsection (1) insert—

“(1A) In the application of subsection (1) to Scotland, the reference to the Food Standards Agency is to be read as a reference to Food Standards Scotland.”.

(11) In section 48, after subsection (5) insert—

“(6) In the application of this section to Scotland, the references to the Food Standards Agency are to be read as references to Food Standards Scotland.”.

(12) In section 53(2), after the entry for “food business” insert the following entries—

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“food information	section 15A
food information law	section 15A”.

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**Commencement Information**

**I3** [Sch. para. 3](#) in force at 1.4.2015 by [S.S.I. 2015/99](#), [art. 2](#)

*Environmental Protection Act 1990*

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

(2) In section 108, after subsection (10) insert—

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“(11) In the application of this section to Scotland, the reference in subsection (7) to the Food Standards Agency is to be read as a reference to Food Standards Scotland.”.

(3) In section 111, after subsection (11) insert—

“(12) In the application of this section to Scotland, the reference in subsection (7) to the Food Standards Agency is to be read as a reference to Food Standards Scotland.”.

(4) In section 126, after subsection (8) insert—

“(9) In the application of this section to Scotland, the reference in subsection (8) to the Food Standards Agency is to be read as a reference to Food Standards Scotland.”.

**Commencement Information**

**I4** Sch. para. 4 in force at 1.4.2015 by S.S.I. 2015/99, art. 2

*Radioactive Substances Act 1993*

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

<sup>F1</sup>(2) .....

<sup>F1</sup>(3) .....

(4) In section 25, after subsection (3A) insert—

“(3B) In the application of this section to Scotland, the references in subsection (3A) to the Food Standards Agency are to be read as references to Food Standards Scotland.”.

**Textual Amendments**

**F1** Sch. paras. 5(2)(3) repealed (1.9.2018) by [The Environmental Authorisations \(Scotland\) Regulations 2018 \(S.S.I. 2018/219\)](#), reg. 1, **sch. 7 para. 1** (with reg. 78, sch. 5 para. 2)

**Commencement Information**

**I5** Sch. para. 5 in force at 1.4.2015 by S.S.I. 2015/99, art. 2

*Environment Act 1995*

6 In section 42 of the Environment Act 1995, after subsection (11) insert—

“(12) In the application of this section to Scotland, the references to the Food Standards Agency are to be read as references to Food Standards Scotland.”.

**Commencement Information**

**I6** Sch. para. 6 in force at 1.4.2015 by S.S.I. 2015/99, art. 2

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*Food Standards Act 1999*

- 7 (1) The 1999 Act is amended as follows.
- (2) The following sections are repealed—  
 section 17,  
 section 27,  
 section 30.
- (3) In section 43—  
 (a) in subsection (5), after “Scotland” insert “ (subject to subsection (6)) ”,  
 (b) after subsection (5), insert—  
 “(6) Sections 17, 27 and 30 do not extend to Scotland.”.

**Commencement Information**

**I7** [Sch. para. 7](#) in force at 1.4.2015 by [S.S.I. 2015/99](#), [art. 2](#)

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

- 8 In section 11(6)(fa) of the Water Environment and Water Services (Scotland) Act 2003, for “the Food Standards Agency” substitute “ Food Standards Scotland ”.

**Commencement Information**

**I8** [Sch. para. 8](#) in force at 1.4.2015 by [S.S.I. 2015/99](#), [art. 2](#)

*Gaelic Language (Scotland) Act 2005*

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

**Commencement Information**

**I9** [Sch. para. 9](#) in force at 1.4.2015 by [S.S.I. 2015/99](#), [art. 2](#)

*Regulatory Reform (Scotland) Act 2014*

- 10 In schedule 1 to the Regulatory Reform (Scotland) Act 2014, the entry for the Food Standards Agency is repealed.

**Commencement Information**

**I10** [Sch. para. 10](#) in force at 1.4.2015 by [S.S.I. 2015/99](#), [art. 2](#)

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