

2015 No. 444

CONSTITUTIONAL LAW
DEVOLUTION, SCOTLAND

FOOD

**The Food (Scotland) Act 2015 (Consequential Provisions) Order
2015**

Made - - - - - *3rd March 2015*

Laid before Parliament *4th March 2015*

Coming into force in accordance with article 1(2)

The Secretary of State makes the following Order in exercise of the powers conferred by sections 104, 112(1), 113(5) and 114(1) of the Scotland Act 1998(a).

Citation and commencement

1.—(1) This Order may be cited as the Food (Scotland) Act 2015 (Consequential Provisions) Order 2015.

(2) This Order comes into force on the day on which section 1 of the Food (Scotland) Act 2015(b) comes into force.

Status of the Food Standards Scotland as part of the Scottish Administration

2. Food Standards Scotland(c) is part of the Scottish Administration.

Construction of references to an office-holder in the Scottish Administration

3.—(1) Unless the context otherwise requires, references in the Scotland Act 1998 and any other enactment (except the Crown Suits (Scotland) Act 1857(d)) to an office-holder in the Scottish Administration are to be taken to include a reference to Food Standards Scotland.

(a) 1998 c.46.

(b) 2015 asp 1.

(c) Food Standards Scotland was established by section 1 of the Food (Scotland) Act 2015.

(d) 1857 c.44.

(2) Paragraph (1) applies whether or not the enactment defines the expression “office-holder in the Scottish Administration” by reference to the Scotland Act 1998 or any specific provision of that Act.

Dover House
London
3rd March 2015

David Mundell
Parliamentary Under Secretary of State for Scotland
Scotland Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision consequential on the Food (Scotland) Act 2015 which establishes Food Standards Scotland and makes provision as to its functions.

Article 2 provides that Food Standards Scotland is part of the Scottish Administration.

Article 3 provides that references in the Scotland Act 1998 and any other enactments to an office-holder in the Scottish Administration are to be taken as including references to Food Standards Scotland, unless the context otherwise requires. It also provides that the Crown Suits (Scotland) Act 1857 does not apply to Food Standards Scotland with the effect that the Lord Advocate cannot be sued in the place of Food Standards Scotland.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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