



Food (Scotland) Act 2015

2015 asp 1

PART 1

FOOD STANDARDS SCOTLAND

Step-in powers

18 Serious failure

- (1) This section applies where the Scottish Ministers consider that there has been a serious failure by Food Standards Scotland to exercise any of its functions.
- (2) The Scottish Ministers may give Food Standards Scotland such directions as they consider appropriate to remedy the failure.
- (3) But before doing so, the Scottish Ministers must consult Food Standards Scotland.
- (4) A direction under this section—
 - (a) must be in writing,
 - (b) must include a statement summarising the reasons for giving it.
- (5) The Scottish Ministers must publish any direction under this section (in such manner as they consider appropriate).
- (6) If Food Standards Scotland fails to comply with a direction under this section, the Scottish Ministers may give effect to it (and for that purpose, may exercise any function of Food Standards Scotland in place of it).
- (7) If Food Standards Scotland fails to comply with a direction under this section, the Scottish Ministers—
 - (a) may end the membership of all its members, and
 - (b) may, until new members are appointed, exercise any function of Food Standards Scotland in place of it (or appoint any other person to do so).