



Good Food Nation (Scotland) Act 2022

2022 asp 5

Oversight by food commission

19 Establishment of Scottish Food Commission

- (1) The Scottish Food Commission (in Gaelic, Coimisean Bidh na h-Alba) is established.
- (2) In this Act, the Scottish Food Commission is referred to as “the Commission”.
- (3) Further provision about the constitution and operation of the Commission is made by the schedule.

20 Functions of the Commission

- (1) The functions of the Commission are—
 - (a) to keep under review—
 - (i) progress in achieving the outcomes in the national good food plan and the good food nation plans of relevant authorities, and
 - (ii) the effectiveness of those plans in addressing food-related issues, and
 - (b) to advise, inform and assist the Scottish Ministers and relevant authorities with a view to—
 - (i) promoting and supporting progress in achieving the outcomes in the national good food nation plan and the good food nation plans of relevant authorities, and
 - (ii) improving the effectiveness of those plans in addressing food-related issues.
- (2) The Commission must have regard to any request by the Scottish Ministers to assist them under subsection (1)(b) in a particular way (for example, by considering and then advising them on a particular matter).
- (3) In pursuance of subsection (1)(b), the Commission may make formal recommendations—
 - (a) to the Scottish Ministers as to action which it considers should be taken in relation to the national good food nation plan,
 - (b) to a relevant authority as to action which it considers should be taken in relation to the authority’s good food nation plan.

- (4) The Commission must publish any formal recommendation it makes.
- (5) Without prejudice to [Part 2](#) of the schedule, the Commission may, in particular, for the purpose of its functions—
 - (a) carry out, commission or support any research it considers appropriate,
 - (b) seek any independent and expert advice it considers appropriate,
 - (c) acquire, compile and keep under review information about food-related issues,
 - (d) keep under review implementation of any international obligation of the United Kingdom relating to a food-related issue,
 - (e) have regard to developments in, and information on the effectiveness of, legislation on food-related issues elsewhere in the world.
- (6) The Scottish Ministers may by regulations modify this section so as to—
 - (a) confer functions on the Commission,
 - (b) modify the functions of the Commission,
 - (c) remove functions from the Commission.
- (7) But the power conferred by subsection (6) may not be exercised in a way that would result in the Commission having a function which relates (wholly or partly) to something other than the national good food nation plan or the good food nation plans of relevant authorities.

21 Independence of the Commission

- (1) In exercising its functions, the Commission is not subject to the direction or control of any member of the Scottish Government.
- (2) This section is subject to any contrary provision in this or any other enactment.

22 Funding and financial assistance

- (1) The Scottish Ministers may provide financial assistance (including grants, loans, guarantees and indemnities) to the Commission.
- (2) The Scottish Ministers may attach conditions (including conditions as to repayment or the repayment of interest) in respect of any financial assistance provided.
- (3) The Scottish Ministers may, from time to time after financial assistance is provided, vary any conditions attached to it.

23 Publication of documents by the Commission: inclusive communication

In publishing a document under section 20(4) or the schedule, the Commission must have regard to the importance of communicating in an inclusive way.