



Agriculture and Rural Communities (Scotland) Act 2024

2024 asp 11

PROSPECTIVE

PART 4

MISCELLANEOUS

29 Code of Practice on Sustainable and Regenerative Agriculture

- (1) The Scottish Ministers must prepare and publish a document providing guidance on sustainable and regenerative agriculture within the period of one year beginning with the day on which this section comes into force.
- (2) The document is to be called the “Code of Practice on Sustainable and Regenerative Agriculture” (and is referred to in this section as “the code”).
- (3) The code is to include—
 - (a) an explanation of what the Scottish Ministers consider to be sustainable and regenerative agriculture,
 - (b) the agricultural activities and methods which they consider to constitute best practice for sustainable and regenerative agriculture,
 - (c) such other information and guidance relating to sustainable and regenerative agriculture as the Scottish Ministers consider appropriate.
- (4) The Scottish Ministers must review and, if they consider it appropriate, revise and publish the code (as so revised) by the end of each review period.
- (5) Before publishing the code or any revised code, the Scottish Ministers must lay it before the Scottish Parliament.
- (6) The Scottish Ministers must, in preparing or reviewing the code, consult such persons as they consider likely to be interested in or affected by it.
- (7) The Scottish Ministers must take such steps as they consider appropriate to promote awareness of the code to persons likely to be affected by it—

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Changes to legislation: There are currently no known outstanding effects for the Agriculture and Rural Communities (Scotland) Act 2024, Part 4. (See end of Document for details)

- (a) after publication of the code (or the code as revised),
- (b) at such other times as they consider appropriate.

(8) In this section, “review period” means—

- (a) the period of 5 years beginning with the day on which the first code is published, and
- (b) each subsequent period of 5 years.

Commencement Information

II S. 29 not in force at Royal Assent, see [s. 38\(2\)](#)

30 Continuing professional development

- (1) The Scottish Ministers may by regulations make provision for or in connection with the continuing professional development of—
- (a) farmers,
 - (b) crofters,
 - (c) land-managers,
 - (d) persons who work in agriculture (whether as employees or otherwise),
 - (e) persons who provide relevant advice or services to the persons listed in paragraphs (a) to (c) (other than persons who are already subject to such requirements),
 - (f) such other categories of persons providing advice or services in or for rural communities as may be specified in the regulations.
- (2) In [subsection \(1\)\(e\)](#), relevant advice or services means advice or services relating to farming, crofting or land-management.
- (3) Regulations under [subsection \(1\)](#) may include provision about continuing professional development activities which the persons mentioned in [subsection \(1\)](#) may or must undertake (“CPD activities”), such as—
- (a) requiring the persons mentioned in [subsection \(1\)](#) to undertake particular, or a particular amount of, CPD activities,
 - (b) the form and content of CPD activities, including peer-to-peer learning,
 - (c) the accreditation of CPD activities and the persons providing CPD activities,
 - (d) requiring that any person providing CPD activities or any particular description of CPD activities in accordance with the regulations holds such qualifications, skills or experience as may be specified in the regulations,
 - (e) the minimum criteria for successful completion of CPD activities,
 - (f) how successful completion of CPD activities is recorded,
 - (g) any circumstances in which a person who would otherwise be required to undertake particular, or a particular amount of, CPD activities does not have to do so,
 - (h) monitoring and enforcement of any requirement to undertake particular, or a particular amount of, CPD activities,
 - (i) the charging of fees in connection with the provision of, or any requirement to undertake, CPD activities,

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- (j) the processing of information in connection with the provision of, or any requirement to undertake, CPD activities, and
 - (k) appeals against decisions of the Scottish Ministers (or a person acting on their behalf) relating to any requirement to undertake CPD activities.
- (4) Before making regulations under this section, the Scottish Ministers must consult such persons as they consider appropriate.
- (5) Regulations under subsection (1)—
- (a) may make provision for persons other than the Scottish Ministers carrying out functions in relation to CPD activities,
 - (b) are subject to the negative procedure.

Commencement Information

I2 S. 30 not in force at Royal Assent, see [s. 38\(2\)](#)

31 Monitoring and evaluation of continuing professional development

- (1) The Scottish Ministers must, in relation to each CPD scheme—
- (a) monitor the impact of the CPD scheme, and
 - (b) prepare one or more reports on the impact and effectiveness of the CPD scheme (having had regard to the findings of that monitoring and the matters to be considered by virtue of subsection (2)).
- (2) For the purposes of monitoring a CPD scheme under subsection (1), the Scottish Ministers must, in particular, consider whether the CPD scheme in question—
- (a) is accessible to the persons to whom the CPD scheme relates, including by reference to—
 - (i) where CPD activities take place,
 - (ii) the range, format and type of CPD activities that are available, and
 - (iii) the costs associated with undertaking the CPD activities,
 - (b) requires CPD activities to be undertaken only where it is appropriate and proportionate to do so.
- (3) Monitoring under subsection (1)(a) may be carried out in such manner and for such period or periods as the Scottish Ministers consider appropriate for the CPD scheme in question.
- (4) The number and frequency of reports prepared under subsection (1)(b) is to be as the Scottish Ministers consider appropriate for the CPD scheme in question.
- (5) The Scottish Ministers must, after preparing a report under this section—
- (a) lay a copy of the report before the Scottish Parliament, and
 - (b) publish the report.
- (6) The Scottish Ministers may by regulations modify subsection (2) to add, amend or remove a matter to be considered.
- (7) Regulations under subsection (6) are subject to the affirmative procedure.
- (8) In this section—

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- (a) a reference to—
 - (i) a CPD scheme is a reference to any set of CPD activities which a person described in a paragraph of section 30(1) may or must undertake as a result of regulations under that section,
 - (ii) a person to whom a CPD scheme relates is a reference to a person who may or must undertake certain CPD activities as a result of regulations made under section 30,
- (b) “CPD activities” has the same meaning as in section 30(3).

Commencement Information

I3 S. 31 not in force at Royal Assent, see [s. 38\(2\)](#)

32 Prescribing and regulating means of identifying animals

- (1) The Animal Health Act 1981 is modified as follows.
- (2) In section 8 (movement generally)—
 - (a) in subsection (1), for paragraph (a) substitute—
 - “(a) for prescribing and regulating the means of identifying animals,”
 - (b) in subsection (1A) (as inserted by the Agriculture Act 2020), the words “made by the Secretary of State or the Welsh Ministers” are repealed.

Commencement Information

I4 S. 32 not in force at Royal Assent, see [s. 38\(2\)](#)

33 Food security statements

- (1) The Scottish Ministers must, not less than once in every period of 3 years, prepare a statement on food security in Scotland.
- (2) The Scottish Ministers must, after preparing a statement under this section—
 - (a) lay a copy of the statement before the Scottish Parliament, and
 - (b) publish the statement.
- (3) The first statement under this section must be published within the period of 3 years beginning with the date of commencement of this section.

Commencement Information

I5 S. 33 not in force at Royal Assent, see [s. 38\(2\)](#)

34 Repeals and minor modifications

- (1) The enactments mentioned in the first column of the table in [Part 1](#) of schedule 2 are repealed or revoked to the extent specified in the second column of the table.
- (2) [Part 2](#) of schedule 2 contains minor modifications of enactments.

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Changes to legislation: There are currently no known outstanding effects for the Agriculture and Rural Communities (Scotland) Act 2024, Part 4. (See end of Document for details)

Commencement Information

16 S. 34 not in force at Royal Assent, see [s. 38\(2\)](#)

Status:

This version of this part contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the Agriculture and Rural Communities (Scotland) Act 2024, Part 4.