



# Good Food Nation (Scotland) Act 2022

## 2022 asp 5

### *National good food nation plan*

#### **1 Requirement to produce plan**

- (1) The Scottish Ministers must—
  - (a) publish, and
  - (b) lay before the Scottish Parliament,  
a national good food nation plan.
- (2) [Subsection \(1\)](#) must be complied with before the end of the period of 3 months beginning with the expiry of the period mentioned in [section 3\(1\)\(a\)](#).
- (3) The national good food nation plan must set out—
  - (a) the main outcomes in relation to food-related issues which the Scottish Ministers want to be achieved in relation to Scotland,
  - (b) indicators or other measures by which progress in achieving the outcomes may be assessed, and
  - (c) the policies which the Scottish Ministers intend to pursue in order to secure the achievement of the outcomes.
- (4) The national good food nation plan must also set out the Scottish Ministers' plans for ensuring that the implementation of the policies mentioned in [subsection \(3\)\(c\)](#) is informed by the views of the food business sector.
- (5) The national good food nation plan may include such other material in relation to food-related issues as the Scottish Ministers consider appropriate.
- (6) In determining the content of the national good food nation plan so far as required by [subsection \(3\)](#), the Scottish Ministers must have regard to the scope for food-related issues to affect outcomes in relation to, among other things—
  - (a) social and economic wellbeing,
  - (b) the environment, including in particular in relation to—
    - (i) climate change, and
    - (ii) wildlife and the natural environment,
  - (c) health and physical and mental wellbeing (including in particular through the provision of health and social care services),

- (d) economic development,
- (e) animal welfare,
- (f) education, and
- (g) child poverty.

## **2 Preparation of plan: principles**

In preparing the national good food nation plan, the Scottish Ministers must have regard to—

- (a) the fact that each part of the food system and supply chain plays an important role in the provision of food,
- (b) the role of a sustainable food system and supply chain in contributing to mitigation of climate change, halting and reversing of loss of biodiversity and improvement in animal welfare,
- (c) the ability of high quality, nutritious and culturally appropriate food to improve the health and physical and mental wellbeing of people,
- (d) the fact that adequate food is a human right (as part of the right to an adequate standard of living set out in Article 11 of the International Covenant on Economic, Social and Cultural Rights) and essential to the realisation of other human rights,
- (e) the importance of the food business sector—
  - (i) continuing to be a thriving part of the Scottish economy,
  - (ii) having resilient supply chains,
  - (iii) operating with fair work standards, and
  - (iv) in contributing to resilient local economies across Scotland.

## **3 Requirement to lay proposed plan before the Parliament**

- (1) Before complying with the requirement to lay a national good food nation plan in section 1(1), the Scottish Ministers must—
  - (a) lay the proposed plan before the Scottish Parliament for a period of 60 days, of which no fewer than 30 days must be days on which the Parliament is neither dissolved nor in recess, and
  - (b) before finalising the plan have regard to—
    - (i) any representations about the proposed plan that are made to them,
    - (ii) any resolution relating to the proposed plan passed by the Parliament, and
    - (iii) any report relating to the draft plan published by any committee of the Parliament for the time being appointed by virtue of the standing orders,during that period.
- (2) The proposed plan must be laid before the Parliament under subsection (1)(a) not later than the end of the period of 12 months beginning with the day on which this section comes into force.
- (3) The Scottish Ministers must, when laying the national good food nation plan before the Parliament under section 1(1), lay a statement setting out—
  - (a) details of any representations, resolutions or reports mentioned in subsection (1)(b), and

- (b) the changes (if any) they have made to the plan in response to such representations, resolutions or reports and the reasons for those changes.

#### **4 Preparation of plan: consultation**

- (1) In preparing the national good food nation plan, the Scottish Ministers must—
  - (a) publish, and consult on, a draft of the plan, and
  - (b) have regard to any responses to the consultation.
- (2) The persons consulted under [subsection \(1\)\(a\)](#) are to be those who the Scottish Ministers consider appropriate.
- (3) In consulting under subsection (1)(a), the Scottish Ministers must have regard to the importance of communicating in an inclusive way.
- (4) In consulting under subsection (1)(a), the Scottish Ministers must have regard to the importance of communicating in a way that is effective in engaging children and young people.
- (5) The Scottish Ministers must, when laying the proposed national good food nation plan before the Scottish Parliament under section 3(1)(a), publish a statement—
  - (a) summarising—
    - (i) the consultation process undertaken in order to comply with subsection (1)(a), and
    - (ii) any responses to the consultation, and
  - (b) setting out how in preparing the plan they complied with subsection (1)(b) and (3).

#### **5 Preparation of plan: consideration of international instruments**

- (1) In preparing the national good food nation plan, the Scottish Ministers must have regard to the international instruments listed in [subsection \(2\)](#).
- (2) Those instruments are—
  - (a) Article 11 (so far as it concerns adequate food) of the International Covenant on Economic, Social and Cultural Rights,
  - (b) Article 24(2)(c) (so far as it concerns the provision of adequate nutritious foods) of the United Nations Convention on the Rights of the Child,
  - (c) Articles 27(1) and (3) (so far as they concern nutrition) of the United Nations Convention on the Rights of the Child,
  - (d) Article 12(2) (so far as it as concerns adequate nutrition during pregnancy and lactation) of the Convention on the Elimination of All Forms of Discrimination Against Women.
- (3) The Scottish Ministers may by regulations modify the list in [subsection \(2\)](#) so as to add, remove or vary a reference to an international instrument.
- (4) The provision which may be made by regulations under [subsection \(3\)](#) includes—
  - (a) limiting the extent of an international instrument to a particular matter,
  - (b) providing that a reference to an international instrument is a reference to that instrument as it has effect—
    - (i) at a particular time, or

(ii) as amended from time to time.

## 6 Effect of plan

The Scottish Ministers must, when exercising a specified function or a function falling within a specified description, have regard to the national good food nation plan.

## 7 Reporting

- (1) As soon as practicable after the end of each reporting period, the Scottish Ministers must—
  - (a) publish, and
  - (b) lay before the Scottish Parliament,a report setting out progress made in the reporting period towards achieving the outcomes set out in the national good food nation plan, by reference to the indicators or other measures contained in the plan by virtue of [section 1\(3\)\(b\)](#).
- (2) In relation to any outcome that the report states is not being achieved at the end of the reporting period, the report must set out—
  - (a) the view of the Scottish Ministers as to whether the policies in the plan which are directed at the achievement of the outcome remain sufficient, and
  - (b) if—
    - (i) the view is that the policies are sufficient, the reasons for the view,
    - (ii) the view is that the policies are insufficient, what action the Scottish Ministers intend to take.
- (3) The report may include such other material in relation to food-related issues as the Scottish Ministers consider appropriate.
- (4) In [this section](#), “reporting period” means—
  - (a) the period of 2 years beginning with the day on which [section 1\(1\)](#) is complied with, and
  - (b) each subsequent period of 2 years.

## 8 Review and revision of plan

- (1) Before the end of—
  - (a) the period of 5 years beginning with the day on which [section 1\(1\)](#) is complied with, and
  - (b) each subsequent period of 5 years,the Scottish Ministers must review the national good food nation plan.
- (2) In reviewing the plan, the Scottish Ministers must have regard to any recommendation made by virtue of [section 20\(3\)\(a\)](#) which was published—
  - (a) if this is the first review, since the plan was published,
  - (b) if this is a subsequent review, since the last review.
- (3) Following a review, the Scottish Ministers may revise the plan as they consider appropriate.
- (4) [Sections 1\(3\) to \(6\)](#), [2](#), [4\(1\) to \(3\)](#) and [5\(1\)](#) apply in relation to revising the plan as they apply in relation to the preparation of the plan in the first place.

- (5) As soon as practicable after revising the plan, the Scottish Ministers must—
  - (a) publish, and
  - (b) lay before the Scottish Parliament,the plan as so revised.
- (6) Sections 3(1) and (3) and 4(4) apply in relation to a revised national good food nation plan as they apply in relation to the national good food nation plan in the first place.

**9 Publication of documents: inclusive communications**

In publishing a document under any of sections 1 to 8, the Scottish Ministers must have regard to the importance of communicating in an inclusive way.