

## SCHEDULE **S**

Regulation 7

### Modification of provisions of the Act

## **PART 1** **S**

### Modification of section 32(1)

1. In section 32(1) (powers of entry)—
  - (a) in paragraph (a), for “this Act, or of regulations or orders made under it” substitute “any of regulation 5 of the Country of Origin of Certain Meats (Scotland) Regulations 2016 or Articles 3 to 6 or 8 of Commission Implementing Regulation (EU) No 1337/2013 laying down rules for the application of Regulation (EU) No 1169/2011 of the European Parliament and of the Council as regards the indication of the country of origin or place of provenance for fresh, chilled and frozen meat of swine, sheep, goats and poultry”; and
  - (b) omit paragraph (c).

## **PART 2** **S**

### Modification of other provisions of the Act

<i>Provision of the Act</i>	<i>Modifications</i>
Section 2 M1 (extended meaning of “sale” etc.)	In subsection (1), for “this Act” substitute “ the Country of Origin of Certain Meats (Scotland) Regulations 2016 ”. In subsection (2), for “This Act” substitute “ The Country of Origin of Certain Meats (Scotland) Regulations 2016 ”.
Section 3 (presumptions that food intended for human consumption)	In subsection (1), for “this Act” substitute “ the Country of Origin of Certain Meats (Scotland) Regulations 2016 ”.
Section 20 (offences due to fault of another person)	For “any of the preceding provisions of this Part” substitute “ the Country of Origin of Certain Meats (Scotland) Regulations 2016 ”.
Section 21 M2 (defence of due diligence)	In subsection (1), for “any of the preceding provisions of this Part” substitute “ the Country of Origin of Certain Meats (Scotland) Regulations 2016 ”.
Section 29 (procurement of samples)	In paragraph (b)(ii), after “under section 32 below”, insert “ including under section 32 as applied and modified by regulation 7(1) of, and Part 1 of the Schedule to, the Country of Origin of Certain Meats (Scotland) Regulations 2016 ”.
Section 30(8) (evidence of certificates given by a food analyst or examiner)	For “this Act” substitute “ the Country of Origin of Certain Meats (Scotland) Regulations 2016 ”.
Section 33 (obstruction etc. of officers)	In subsection (1), for “this Act” (in each place where it occurs) substitute “ the Country of Origin of Certain Meats (Scotland) Regulations 2016 ”.

**Changes to legislation:** There are currently no known outstanding effects for the *The Country of Origin of Certain Meats (Scotland) Regulations 2016*. (See end of Document for details)

Section 35(1) and (punishment of offences)	(2) In subsection (1), after “section 33(1) above”, insert “, as applied and modified by regulation 7(2) of, and Part 2 of the Schedule to, the Country of Origin of Certain Meats (Scotland) Regulations 2016, ”.  In subsection (2)—  (a) (a) for “any other offence under this Act” substitute “ an offence under section 33(2), as applied by regulation 7(2) of, and Part 2 of the Schedule to, the Country of Origin of Certain Meats (Scotland) Regulations 2016, ”; and  (b) (b) in paragraph (b), for “relevant amount” substitute “ statutory maximum ”.
Section 36 (offences by body corporate)	In subsection (1), for “this Act” substitute “ regulation 7 of the Country of Origin of Certain Meats (Scotland) Regulations 2016 ”.
Section 36A M3 (offences by Scottish partnerships)	For “this Act” substitute “ regulation 7 of the Country of Origin of Certain Meats (Scotland) Regulations 2016 ”.
Section 44 (protection of officers acting in good faith)	For “this Act” (in each place where it occurs) substitute “ the Country of Origin of Certain Meats (Scotland) Regulations 2016 ”.

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**Marginal Citations**

- M1** Section 2(1) was amended by the [Food Standards Act 1999 \(c. 28\)](#), [Schedule 5](#), paragraph 8.
- M2** Section 21(2) was amended by [S.I. 2004/3279](#).
- M3** Section 36A was inserted by the [Food Standards Act 1999](#), [Schedule 5](#), paragraph 16.

**Changes to legislation:**

There are currently no known outstanding effects for the The Country of Origin of Certain Meats (Scotland) Regulations 2016.