
STATUTORY INSTRUMENTS

2005 No.3362(S.11)

AGRICULTURE, SCOTLAND

The Feeding Stuffs (Application to Zootechnical Additives etc.) (Scotland) Regulations 2005

Made - - - - *7th December 2005*
Laid before Parliament *12th December 2005*
Coming into force - - *3rd January 2006*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 66(1), 68(1) and (1A), 69(1) and (3), 70(1), 71(1), 74(1), 74A, 77(4), 78(6), 79(1), (2) and (9), and 84 of the Agriculture Act 1970 ^{M1} (as read with Articles 2 and 6 of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002) ^{M2}.

In so far as these Regulations cannot be made under the powers in the Agriculture Act 1970 specified above, the Secretary of State makes these Regulations in exercise of her powers as a Minister designated for the purposes of section 2(2) of the European Communities Act 1972 ^{M3} in relation to measures relating to food (including drink) including the primary production of food and measures relating to feed produced for or fed to food-producing animals ^{M4}, the common agricultural policy of the European Community ^{M5}, measures in the veterinary and phytosanitary fields for the protection of public health ^{M6} and the control and regulation of genetically modified organisms ^{M7}.

There has been consultation in accordance with the requirements of section 84(1) of the Agriculture Act 1970 or as appropriate of Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ^{M8}.

Marginal Citations

M1 1970 c. 40. Section 66(1) contains definitions of the expressions “the Ministers”, “prescribed” and “regulations”. The definition of “the Ministers” was amended by the [Transfer of Functions \(Wales\) \(No. 1\) Order 1978 \(S.I. 1978/272\)](#), [Schedule 5, paragraph 1](#). Functions of “the Ministers”, so far as exercisable in relation to Scotland and so far as within devolved competence, were transferred to the Scottish Ministers by section 53 of the [Scotland Act 1998 \(1998 c. 46\)](#) (“the 1998 Act”). By virtue of [S.I. 1999/3141](#), functions of the Secretary of State, the Secretary of State for Scotland and the Secretary of State for Wales, exercisable in relation to Scotland and in so far as not transferred to the Scottish Ministers by the 1998 Act, were transferred to the Minister of Agriculture Fisheries and Food.

Section 74A was inserted by the [European Communities Act 1972 \(1972 c. 68\)](#), [Schedule 4](#), paragraph 6.

- M2** [S.I. 2002/794](#). Article 2 of this Order had the effect of transferring to the Secretary of State the functions of the Minister of Agriculture Fisheries and Food under Part IV of the Agriculture Act 1970 referred to, including those exercisable in relation to Scotland in so far as not transferred by section 53 of the 1998 Act.
- M3** [1972 c. 68](#). The function of the Minister of the Crown under section 2(2), in so far as exercisable in relation to Scotland and so far as within devolved competence, was transferred to the Scottish Ministers by section 53 of the 1998 Act. In so far as not so transferred and in so far as exercisable in relation to Scotland, the function is retained by the Secretary of State.
- M4** [S.I. 2003/2901](#)
- M5** [S.I. 1972/1811](#), amended by [S.I. 1996/266](#), [2002/794](#) and [2812](#).
- M6** [S.I. 1999/2027](#).
- M7** [S.I. 1991/755](#), amended by [S.I. 1999/2788](#).
- M8** OJ No. L31, 1.2.2002, p.1, as last amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council (OJ No. L245, 29.9.2003, p.4).

Changes to legislation:

There are currently no known outstanding effects for the The Feeding Stuffs (Application to Zootechnical Additives etc.) (Scotland) Regulations 2005, Introductory Text.