



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.

Commencement Information

- I1** S. 19 not in force at Royal Assent, see [s. 28\(2\)](#)
I2 S. 19 in force at 15.2.2024 for specified purposes by [S.S.I. 2024/29](#), reg. 2(1)(2), [sch. 1](#)

PROSPECTIVE

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.

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Good Food Nation (Scotland) Act 2022, Cross Heading: Oversight by food commission. (See end of Document for details)

- (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.

Commencement Information

I3 S. 20 not in force at Royal Assent, see [s. 28\(2\)](#)

PROSPECTIVE

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.

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Commencement Information

I4 S. 21 not in force at Royal Assent, see [s. 28\(2\)](#)

PROSPECTIVE

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.

Commencement Information

I5 S. 22 not in force at Royal Assent, see [s. 28\(2\)](#)

PROSPECTIVE

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.

Commencement Information

I6 S. 23 not in force at Royal Assent, see [s. 28\(2\)](#)

Status:

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Changes to legislation:

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