Draft Regulations laid before the Scottish Parliament under section 27(5) of the Good Food Nation (Scotland) Act 2022, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2025 No.

FOOD

The Good Food Nation (Specified Functions and Descriptions) (Scottish Ministers) Regulations 2025

Made - - - -	*2025*
Coming into force - -	*23rd December 2025*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 6 and 26(1) of the Good Food Nation (Scotland) Act 2022(**a**)and all other powers enabling them to do so.

In accordance with section 27(5) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

In accordance with section 27(2) of that Act the Scottish Ministers have consulted with those persons who they consider appropriate and have had regard to their responses.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Good Food Nation (Specified Functions and Descriptions) (Scottish Ministers) Regulations 2025 and come into force on 23 December 2025.

(2) In these Regulations, "the Act" means the Good Food Nation (Scotland) Act 2022.

Specified functions

2. The functions listed in schedule 1 of these Regulations are specified for the purposes of section 6 of the Act.

Specified descriptions

3. The descriptions listed in schedule 2 of these Regulations are specified for the purposes of section 6 of the Act.

(**a**) 2022 asp 5.

Transitional provision

4.—(1) The function listed in section 57(6) of the Climate Change (Scotland) Act 2009(**a**) (duty to produce a revised land use strategy) is specified for the purposes of section 6 of the Act subject to the provisions in paragraph (2).

(2) The duty imposed by section 6 of the Act does not apply to that function until after the duty to lay a revised land use strategy before the Scottish Parliament no later than 31 March 2026 has been complied with.

Name
A member of the Scottish Government

St Andrew's House
Edinburgh

(**a**) 2009 asp 12. The function is specified by paragraph 12 of schedule 1 of these Regulations.

SCHEDULES

SCHEDULE 1

Specified functions

1. Making arrangements or disseminating information for the purposes of section 38A of the National Health Service (Scotland) Act 1978(**a**) (arrangements and information to support, promote and encourage breastfeeding).

2. Making regulations under section 53(8) of the Education (Scotland) Act 1980(**b**) (modification of description of pupil entitled to school meals).

3. Making regulations under section 56A(1) of the Education (Scotland) Act 1980(**c**) (nutritional requirements for food and drink in public schools).

4. Issuing guidance for the purposes of section 56C of the Education (Scotland) Act 1980(**d**) (guidance about nutritional requirements).

5. Issuing guidance for the purposes of section 56E(2) of the Education (Scotland) Act 1980(**e**) (guidance about the application of the principles of sustainable development).

6. Making regulations under section 13(1) of the Social Security Act 1988(**f**) (benefits under schemes for improving nutrition: pregnant women, mothers and children).

7. Making schemes under section 42(1) of the Crofters (Scotland) Act 1993 (**g**) (schemes for providing grants to crofters).

8. Making regulations under section 46A(2) of the Crofters (Scotland) Act 1993(**h**) (provision of loans to crofters, cottars, owner-occupier crofters and owners of holdings).

9. Reviewing, revising or amending the framework as required by sections 3AA(1), 3AA(3) or 3CC(1) of the Town and Country Planning (Scotland) Act 1997(**i**) (reviewing, revising or amending the National Planning Framework).

10. Making codes of practice under section 37(1) of the Animal Health and Welfare (Scotland) Act 2006(**j**) (preparing animal welfare codes of practice).

11. Issuing guidance under section 38 of the Animal Health and Welfare (Scotland) Act 2006 (guidance on welfare of protected animals).

(**a**) 1978 c. 29; section 38A was inserted by section 4 of the Breastfeeding etc. (Scotland) Act 2005 (asp 1).
(**b**) 1980 c. 44; section 53(8) was relevantly amended by section 22(2) of the Education (Scotland) Act 2016 (asp 8).
(**c**) Section 56A(1) was inserted by section 3 of the Schools (Health Promotion and Nutrition) (Scotland) Act 2007 (asp 15).
(**d**) Section 56C was inserted by section 3 of the Schools (Health Promotion and Nutrition) (Scotland) Act 2007 (asp 15).
(**e**) Section 56E(2) was inserted by section 9 of the Schools (Health Promotion and Nutrition) (Scotland) Act 2007 (asp 15).
(**f**) 1988 c. 7; section 13(1) was relevantly amended by section 185(1) of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43).
(**g**) 1993 c. 44; section 42(1) was relevantly amended by paragraph 2(10)(a) of schedule 1 of the Crofting Reform etc. Act 2007 (asp 7).
(**h**) Section 46A(2) was inserted by section 32 of the Crofting Reform etc. Act 2007 (asp 7).
(**i**) 1997 c. 8; section 3AA(1) and (3) was inserted by section 2(11) of the Planning (Scotland) Act 2019 (asp 13). Section 3CC(1) was inserted by section 12(2) of the Planning (Scotland) Act 2019.
(**j**) 2006 asp 11.

12. Revising the strategy as required by section 57(6) of the Climate Change (Scotland) Act 2009(**a**) (duty to produce a revised land use strategy).

13. Preparing a national marine plan as required by sections 5(1) or 9(5) of the Marine (Scotland) Act 2010(**b**) (national marine plan and preparation following withdrawal of national marine plan).

14. Amending a national marine plan under section 8(1) of the Marine (Scotland) Act 2010 (amendment of national marine plan).

15. Issuing guidance for the purposes of section 15(1) of the Community Empowerment (Scotland) Act 2015(**c**) (guidance on carrying out functions conferred on community planning partnerships).

16. Making an order under section 112(5) or 112(6) of the Community Empowerment (Scotland) Act 2015 (amendment of local authorities' duty to provide allotments).

17. Issuing guidance for the purposes of section 137(1) of the Community Empowerment (Scotland) Act 2015 (guidance on the functions conferred on local authorities relating to allotments).

18. Reviewing or revising the strategy as required by section 47(9) of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021(**d**) (reviewing or revising the environmental policy strategy).

19. Issuing guidance for the purposes of regulation 17 of the Milk and Healthy Snack Scheme (Scotland) Regulations 2021(**e**) (guidance for local authorities).

20. Issuing guidance for the purposes of regulation 18 of the Milk and Healthy Snack Scheme (Scotland) Regulations 2021 (guidance for childcare providers).

21. Preparing, reviewing or revising the strategy as required by section 1(1), or section 4(1) or (2) of the Circular Economy (Scotland) Act 2024(**f**) (preparing, reviewing or revising the circular economy strategy).

(**a**) 2009 asp 12.
(**b**) 2010 asp 5.
(**c**) 2015 asp 6.
(**d**) 2021 asp 4.
(**e**) S.S.I. 2021/82.
(**f**) 2024 asp 13.

SCHEDULE 2

Specified descriptions

Policy making, strategies, plans and guidance

1. Making policies (including proposals for legislation), strategies, plans or guidance about any of the following matters—

(a) breastfeeding,

(b) child poverty,

(c) community food growing or allotments,

(d) diet-related health conditions,

(e) diet-related health inequalities,

(f) eating disorders,

(g) education about food or nutrition,

(h) food advertising,

(i) food labelling,

(j) household food insecurity,

(k) food security,

(l) food waste,

(m) nutrition, including nutritional recommendations, information or requirements,

(n) organic production or organic standards,

(o) the food business sector,

(p) the procurement of food,

(q) the provision of food,

(r) welfare food schemes,

(s) the welfare and health of animals in the food system,

(t) deer management.

2. In this schedule, "deer" and "deer management" have the meaning given by section 45(1) of the Deer (Scotland) Act 1996(**a**).

(**a**) 1996 c. 58.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations specify functions and descriptions for the purposes of section 6 (effect of plan) of the Good Food Nation (Scotland) Act 2022 ("the Act"). Section 6 of the Act places a duty on the Scottish Ministers to have regard to the national good food nation plan when exercising a specified function or a function which falls within a specified description. The Regulations come into force on 23 December 2025.

Regulation 2 provides that the specified functions are set out in schedule 1 of the Regulations.

Regulation 3 provides that the specified descriptions are set out in schedule 2 of the Regulations.

Regulation 4 modifies on a transitional basis the application of section 6 of the Act to the function specified in paragraph 12 of schedule 1 of these Regulations until such time as specified. Section 6 of the Act will not apply to the function listed in paragraph 12 of schedule 1 of these Regulations until after the fourth land use strategy has been published in accordance with section 57 of the Climate Change (Scotland) Act 2009. This is because the fourth land use strategy is expected to be published shortly after these Regulations come into force and it would not be possible for Scottish Ministers to comply with their 'have regard' duty in section 6 of the Act.

No business and regulatory impact assessment has been prepared for these Regulations as no impact upon business, charities or voluntary bodies is foreseen.

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