POLICY NOTE

THE GOOD FOOD NATION (SPECIFIED FUNCTIONS AND DESCRIPTIONS) (SCOTTISH MINISTERS) REGULATIONS 2025

SSI 2025/XXX

The above instrument was made in exercise of the powers conferred by section 6 of the Good Food Nation (Scotland) Act 2022. The instrument is subject to the affirmative procedure.

Summary Box

The instrument gives legal effect to the national Good Food Nation Plan by setting out those specified functions and specified descriptions of functions in the exercise of which Scottish Ministers must "have regard" to the national Good Food Nation Plan.

Policy Objectives

The instrument sets out specified functions (schedule 1) and specified descriptions of functions (schedule 2)**.** When Scottish Ministers are exercising these functions they are required by the Good Food Nation Act to "have regard" to the national Good Food Nation Plan. This will be the mechanism through which the national Good Food Nation Plan takes legal effect and how greater policy consistency in relation to food policy will be achieved. The intention for this SSI is to cover the policy areas mentioned in the national Good Food Nation Plan, where appropriate, and to promote policy alignment.

UN Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 Compatibility

The Scottish Ministers have made the following statement regarding children's rights.

In accordance with section 23(2) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, the Scottish Ministers certify that, in their view, The Good Food Nation (Specified Functions and Descriptions) (Scottish Ministers) Regulations 2025 is compatible with the UNCRC requirements as defined by section 1(2) of the Act.

EU Alignment Consideration

This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation

To comply with the requirements of 27(2) of the Good Food Nation (Scotland) Act 2022 a public consultation took place from 24 January 2024 to 22 April 2024. Respondents to the consultation suggested a range of functions and topic areas to be included in the instrument. Each suggestion was analysed to understand whether a function of the Scottish Ministers existed and where appropriate, the suggested functions were included in the draft SSI.

As a result of that consultation, it became clear that the concept of specified functions and descriptions must be presented in a more accessible format to stakeholders and the general

public to clear up misunderstandings. An overview document[1] was published as a result of the consultation to address the issues identified.

A full list of those consulted and who agreed to the release of this information is attached to the consultation report[2] published on the Scottish Government website.

Impact Assessments
A CRWIA, EQIA, Fairer Scotland Duty and Island Communities impact assessment has been completed on the draft SSI and are attached.

There are no negative impacts that have been identified in relation to protected characteristics, children's rights or socio-economic equality, or impacts on island communities as a result of this SSI. We expect that implementation of the have regard duty to the national Good Food Nation Plan will have a positive impact and reduce inequalities in the long-term.

Financial Effects
The Cabinet Secretary for Rural Affairs, Land Reform and Islands confirms that no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government
ARE Directorate

23 October 2025

[1] https://www.gov.scot/publications/good-food-nation-specified-functions-overview/
[2] https://www.gov.scot/publications/national-good-food-nation-plan-consultation-analysis/pages/1/