Draft Order in Council laid before Parliament and the Scottish Parliament under section 115 of, and paragraphs 1 and 2 of Schedule 7 to, the Scotland Act 1998, for approval by resolution of each House of Parliament and of the Scottish Parliament.

DRAFT STATUTORY INSTRUMENTS

2014 No.

CONSTITUTIONAL LAW
DEVOLUTION, SCOTLAND

The Scotland Act 1998 (Modification of Schedule 5) Order 2014

Made - - - -

Coming into force in accordance with article 1(2)

At the Court at Buckingham Palace, the day of

Present,

The Queen's Most Excellent Majesty in Council

This Order is made by Her Majesty in Council in exercise of the powers conferred upon Her by section 30(2) of the Scotland Act 1998(**1**).

In accordance with section 115 of, and paragraphs 1 and 2 of Schedule 7 to, that Act(**2**), a draft of this Order has been—

(a) laid before and approved by a resolution of each House of Parliament; and

(b) laid before and approved by a resolution of the Scottish Parliament.

Accordingly Her Majesty, by and with the advice of Her Privy Council, makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Scotland Act 1998 (Modification of Schedule 5) Order 2014.

(2) This Order comes into force on the day after the day on which it is made.

(3) In this Order, a reference to a Section is to a Section of Part 2 of Schedule 5 to the Scotland Act 1998.

(**1**) 1998 c.46.

(**2**) Paragraphs 1 and 2 of Schedule 7 have been modified by paragraph 3(2) of schedule 4 to the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10).

Import and export control

2.—(1) Section C5 (import and export control) is amended as follows.

(2) After the exceptions, insert—

"Interpretation

"Food" has the same meaning as it has in 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(**3**) (as at 7th December 2004).".

Consumer protection

3.—(1) Section C7 (consumer protection) is amended as follows.

(2) After the exception, insert—

"Interpretation

"Food" has the same meaning as it has in 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 (as at 7th December 2004).

The reference to the subject-matter of section 16 of the Food Safety Act 1990 is to be construed as a reference to it as at 7th December 2004 (and, accordingly, paragraph 5(1) of Part 3 of this Schedule does not apply to that reference).".

Product standards, safety and liability

4.—(1) Section C8 (product standards, safety and liability) is amended as follows.

(2) After the exceptions, insert—

"Interpretation

"Food" has the same meaning as it has in 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 (as at 7th December 2004).".

Medicines, medical supplies and poisons

5.—(1) Section J4 (medicines, medical supplies and poisons) is amended as follows.

(2) For paragraph (a) of the first reservation substitute—

"(a) the Medicines Act 1968(**4**), except so far as it applies in relation to—

(i) medicinal products which are for use in relation to animals, and

(ii) animal feeding stuffs,

(aa) the Medicines for Human Use (Marketing Authorisations Etc.) Regulations 1994(**5**),".

(3) After the second reservation, insert—

"Regulation of—

(**3**) OJ No L 31, 1.2.2002, p.1.
(**4**) 1968 c.67. The reference to the subject-matter of that Act is to be read in accordance with Scotland Act 1998, Schedule 5, Part 3, paragraph 5(1).
(**5**) S.I. 1994/3144. The reference to the subject-matter of those Regulations is to be read in accordance with Scotland Act 1998, Schedule 5, Part 3, paragraph 5(1).