

Rural Affairs and Islands Committee
Wednesday 3 December 2025
34th Meeting, 2025 (Session 6)

Note by the Clerk on the Good Food Nation (Specified Functions and Descriptions) (Scottish Ministers) Regulations 2025 (SSI 2025/draft)

Overview

1. At this meeting, the Committee will take evidence from the Cabinet Secretary for Rural Affairs, Land Reform and Islands and officials on the Good Food Nation (Specified Functions and Descriptions) (Scottish Ministers) Regulations 2025 before debating a motion in the name of the Cabinet Secretary inviting the Committee to recommend approval of the instrument.
2. This is a draft Scottish Statutory Instrument (SSI), which requires approval by resolution of the Parliament before it can become law¹. More information about the instrument is summarised below:

Title of instrument: [The Good Food Nation \(Specified Functions and Descriptions\) \(Scottish Ministers\) Regulations 2025](#) (SSI 2025/draft)

Laid under: section 6, [Good Food Nation \(Scotland\) Act 2022](#)

Laid on: 27 October 2025

Procedure: Affirmative

Lead committee to report by: 5 December 2025

Commencement: If approved, the instrument comes into force on 23 December

Purpose of the instrument

3. 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.
4. When making regulations under this power for the first time, the regulations are subject to the affirmative procedure; subsequent regulations are subject to the negative procedure. This is therefore the only time these regulations will be subject to the affirmative procedure.
5. The SSI sets out two lists of ‘specified functions’ and ‘specified descriptions’—

¹ [Further information about secondary legislation and the affirmative procedure is available on the Parliament’s website](#)

- Scottish Ministers must have regard to the national Good Food Nation Plan when exercising functions which have been specified in regulations; **Schedule 1** lists these statutory functions.
 - Scottish Ministers must also have regard to the national plan when “making policies (including proposals for legislation), strategies, plans or guidance” about any of the matters listed as descriptions. **Schedule 2** sets out a list of ‘descriptions’ of policies.
6. Recognising that this is a new approach to framing the Scottish Ministers’ duty, the Scottish Government [published an overview document explaining the approach to specified functions and specified descriptions](#).
7. The policy note accompanying the instrument is included in the annexe. It includes a summary of consultation undertaken by the Scottish Government on the instrument and the anticipated financial effects. The [Scottish Government consulted on the specified functions between 24 January 2024 to 22 April 2024](#). The [Scottish Government then published its analysis of the consultation](#). The consultation analysis listed the functions stakeholders felt were relevant to the national good food nation plan. The analysis also highlighted a key comment, primarily made by third sector organisations and trade associations, questioning the rationale behind the national good food nation plan only relating to specified functions, rather than all the Scottish Ministers’ functions. Feedback also included calls for further information about how the implementation of the national plan would be monitored and the role of the annual report in this process.
8. The policy note highlighted that the following impact assessments have been carried out:
- [equalities impact assessment \(EQIA\)](#)
 - [child rights and wellbeing impact assessment](#) (CRWIA)
 - [fairer Scotland duty assessment](#)
 - [Island communities impact assessment](#)
9. The Cabinet Secretary confirmed in the policy note that no BRIA is necessary, stating that “the instrument has no financial effects on the Scottish Government, local government or on business”.

Delegated Powers and Law Reform Committee consideration

10. The [DPLR Committee considered the instrument on 11 November 2025 and reported on it in its 84th Report, 2025](#). The DPLR Committee made no recommendations in relation to the instrument. The DPLR Committee, however, noted that it would have been helpful if the accompanying documents had confirmed the intended date for laying the finalised National Good Food Plan

given that this instrument depends on the plan being in force to operate as intended.

Rural Affairs and Islands Committee consideration

11. [The Committee issued a call for views asking for views on the specified functions and specified descriptions provided for in the draft regulations.](#) A total of [27 responses were received](#) – 3 from individuals, 2 representing public agencies (Food Standards Scotland and the Scottish Food Commission), 12 from civil society or research institutions, and 10 from private sector stakeholders.
12. In response to a request from the Committee, [the Cabinet Secretary provided further details on the Scottish Government's reasons behind its choice of specified functions and descriptions.](#)
13. At this meeting, the Committee will take evidence on the instrument from the Cabinet Secretary at agenda item 1 and then consider the motion to approve the instrument at agenda item 2.
14. The Committee is invited to delegate authority to the Convener to sign off the Committee's report on its consideration of the instrument to the Parliament.

Clerks to the Committee
November 2025

Annexe: Scottish Government 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

document² 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 report³ 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

² <https://www.gov.scot/publications/good-food-nation-specified-functions-overview/>

³ <https://www.gov.scot/publications/national-good-food-nation-plan-consultation-analysis/pages/1/>