

SCHEDULE 2

Article 3

ADVISORY COMMITTEE ON PESTICIDES

PART I

APPLICATION AND INTERPRETATION

1.—(1) This Schedule shall apply to the Advisory Committee on Pesticides.

(2) In this Schedule—

“the 1985 Act” means the Food and Environment Protection Act 1985(1);

“the Committee” means the Advisory Committee on Pesticides established by article 3 of the Order;

“the Order” means the Control of Pesticides (Advisory Committee on Pesticides) Order 1985(2);

“the Regulations” means the Control of Pesticides (Advisory Committee on Pesticides) (Terms of Office) Regulations 1985(3).

PART II

MODIFICATIONS

Modification of functions in relation to the Committee

2.—(1) Any function which is—

(a) specifically exercisable in relation to the Committee; and

(b) exercisable by the Secretary of State acting jointly with other Ministers of the Crown,

shall instead be exercisable by the Secretary of State, the Scottish Ministers and those Ministers of the Crown acting jointly.

(2) This paragraph shall not apply to any function to which paragraphs 3 or 4 apply.

3.—(1) This paragraph applies to any function of making subordinate legislation under section 16(7) of, or paragraphs 3 or 8 of Schedule 5 to, the 1985 Act.

(2) The Secretary of State for Scotland is to cease to be among the Ministers who, acting jointly, may exercise any function to which this paragraph applies.

(3) Any function to which this paragraph applies shall be exercisable only with the consent of the Scottish Ministers and section 88(2) of the Act shall not apply to any such function.

Modification of 1985 Act

4.—(1) Without prejudice to the generality of the modifications made by paragraphs 2 and 3, the consequential modification to the 1985 Act made by sub-paragraph (2) shall have effect.

(2) In section 16(9), after “the Ministers” there is inserted “or the Scottish Ministers”.

(1) 1985 c. 48.

(2) S.I.1985/1516.

(3) S.I. 1985/1517.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Modification of the Order

5. Without prejudice to the generality of the modifications made by paragraphs 2 and 3, in article 2 (title, commencement and interpretation) of the Order after “Secretary of State” there is inserted “and the Scottish Ministers”.

Modification of the Regulations

6. Without prejudice to the generality of the modifications made by paragraphs 2 and 3, in regulation 1(2) (title, commencement and interpretation) of the Regulations after “Secretary of State” there is inserted “and the Scottish Ministers”.