

**Agreement under section 13(1)(b) of the Health and Safety at Work etc. Act 1974
relating to payments in respect of pesticides approved in England**

This Agreement is made between the Secretary of State for Transport, Local Government and the Regions ("the Secretary of State") and the Health and Safety Commission ("the Commission") under section 13(1)(b) of the Health and Safety at Work etc. Act 1974 ("the 1974 Act"). It relates to the functions which the Commission has agreed to perform on behalf of the Secretary of State, being functions which in the opinion of the Secretary of State can appropriately be performed by the Commission in connection with its functions.

Whereas the Secretary of State and the Commission have entered into an Agreement dated 27 February 1997 relating to the performance by the Commission of certain functions of the Secretary of State under the Food and Environment Protection Act 1985 ("the 1985 Act") and the Control of Pesticides Regulations 1986, it is agreed that:

1 The Commission shall perform on behalf of the Secretary of State his functions under sections 18(1) and 18(2) of the 1985 Act relating to the making of payments for the general purposes of Part III of that Act.

2 After consultation with organisations appearing to the Secretary of State to represent persons who are likely to apply for approvals, and having gained the consent of Treasury, the Secretary of State shall inform the Commission of the principles to enable the determination of the amounts to be paid to enable the Commission to fulfil its obligations under paragraph 1.

3 The Commission shall perform on behalf of the Secretary of State his functions under section 18(6) of the 1985 Act.

4 If an amount payable to the Commission by any person in respect of an approval is unpaid, the Commission may perform on behalf of the Secretary of State his functions under section 18(7) of the 1985 Act relating to suspension of an approval.

5 The Commission shall direct the Health and Safety Executive pursuant to section 11(4) of the 1974 Act to exercise on behalf of the Commission the functions which the Commission has agreed to perform pursuant to this Agreement.

6 This Agreement shall come into effect on 20 December 2001 and shall be terminable by six months notice in writing given by either party to the other.

IN WITNESS whereof the Corporate Seal of the Secretary of State has been affixed this
day of 2001; and the Common Seal of the Commission has been affixed this
day of 2001.

THE CORPORATE SEAL OF THE
SECRETARY OF STATE FOR
TRANSPORT, LOCAL GOVERNMENT
AND THE REGIONS
is authenticated by

THE COMMON SEAL OF THE
HEALTH AND SAFETY COMMISSION
is authenticated by:

Authorised by the said Secretary of State

Chair of the Commission