

**Agreement under section 13(1)(b) of the Health and Safety at Work etc. Act 1974 and section 41 of the Government of Wales Act 1998 relating to payments in respect of pesticides approved in Wales**

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This Agreement is made between the National Assembly for Wales ("the National Assembly") 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") and section 41 of the Government of Wales Act 1998. It relates to the functions which the Commission has agreed to perform on behalf of the National Assembly, being functions which in the opinion of the Secretary of State for Transport, Local Government and the Regions can appropriately be performed by the Commission in connection with its functions.

The National Assembly and the Commission hereby agree that the Commission will carry out certain functions of the National Assembly under the Food and Environment Protection Act 1985 ("the 1985 Act"), and in particular that:

1 The Commission shall perform on behalf of the National Assembly their 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 National Assembly to represent persons who are likely to apply for approvals, and having gained the consent of Treasury, the National Assembly 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 National Assembly their 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 National Assembly their 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 Official Seal of the National Assembly has been affixed this                      day  
of                      2001; and the Common Seal of the Commission has been affixed this                      day  
of                      2001.

THE OFFICIAL SEAL OF THE  
NATIONAL ASSEMBLY FOR WALES  
is authenticated by:

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

Signed on behalf of the  
National Assembly for Wales by:

Chair of the Commission

Authorised by the said National Assembly.