Agreement under section 28(1) of the Northern Ireland Act 1998 and section 13(1)(b) of the Health and Safety at Work etc. Act 1974 relating to payments in respect of non-agricultural pesticides approved in Northern Ireland under the Control of Pesticides Regulations (Northern Ireland) 1987

This Agreement is made between the Department of Agriculture and Rural Development ("the Department"), and the Health and Safety Commission ("the Commission") under section 28(1) of the Northern Ireland Act 1998 and 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 Department, 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.

It is agreed that:

1 The Commission shall perform on behalf of the Department its functions under section 18(2) of the Food and Environment Protection Act 1985 ("the 1985 Act") relating to the making of payments for the general purposes of Part III of that Act.

2 The Commission shall perform on behalf of the Department its functions under section 18(3) of the 1985 Act of determining amounts to be paid to it in terms of sections 18(1) and 18(2) of that Act and paragraph 1 above, on the basis of principles settled by the Department with the consent of the Department of Finance and Personnel after consultation with organisations appearing to the Department to represent persons who are likely to apply for approvals.

3 The Commission shall perform on behalf of the Department its 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 Department its 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 Department has been affixed this day of 2001; and the Common Seal of the Commission has been affixed this day of 2001.

SEALED WITH THE OFFICIAL SEAL
OF THE DEPARTMENT OF AGRICULTURE
AND RURAL DEVELOPMENT
on

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

(L.S.)
A Senior Officer of the
Department of Agriculture and
Rural Development

Chair of the Commission