

**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 Scotland**

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This Agreement is made between the Scottish Ministers ("the Ministers") 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 provides for the Commission to perform certain functions of the Ministers, on behalf of the Ministers, being functions which in the opinion of the Secretary of State for Transport, Local Government and the Regions ("the Secretary of State") can appropriately be performed by the Commission in connection with its functions; said opinion being evidenced by his execution of these presents.

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

1 The Commission shall perform on behalf of the Ministers their functions under sections 18(1) and 18(2) of the 1985 Act.

2 The Commission shall perform on behalf of the Ministers their function 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 Ministers after consultation with organisations appearing to the Ministers to represent persons who are likely to apply for approvals.

3 The Commission shall perform on behalf of the Ministers their functions under section 18(6) of the 1985 Act.

4 The Commission shall perform on behalf of the Ministers their functions under section 18(7) of the 1985 Act.

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 they are subscribed by David Rogers, an officer of the Scottish Ministers, at Edinburgh on the    day of December 2001

before this witness;

Signature of witness:

Full name of witness:

Address of witness: SEERAD, Victoria Quay, Edinburgh

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

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

Chair of the Commission

Authorised by the said Secretary of State