



Pesticides (Fees and Enforcement) Act 1989

1989 CHAPTER 27

2 Enforcement

(1) The following subsections shall be substituted for subsection (1) of section 19 of the 1985 Act—

“(1) Subject to the following provisions of this section, the powers conferred by this section (including Schedule 2 to this Act) (“the enforcement powers”) may be exercised—

- (a) by a person whom either of the Ministers has by instrument in writing authorised to exercise them; or
- (b) by an officer of a local authority who is authorised to exercise them under subsection (1C) below.

(1A) An instrument issued under subsection (1)(a) above may provide that the person to whom it is issued may only exercise the enforcement powers for specified purposes.

(1B) Either of the Ministers may specify descriptions of local authority officers who may be authorised to exercise the enforcement powers but may direct that an officer of a particular description may only be authorised to exercise them for specified purposes.

(1C) If either of the Ministers specifies a description of local authority officers under subsection (1B) above, a local authority may by instrument in writing authorise any of its officers falling within that description to exercise the enforcement powers.

(1D) The following provisions of this Act are to be construed in reference to a person authorised to exercise the enforcement powers as subject to the terms of the instrument which authorises him to exercise them.”

(2) The following subsection shall be inserted after subsection (7) of that section—

“(8) In this section “local authority” means—

Status: This is the original version (as it was originally enacted).

- (a) any local authority, as defined in the Local Government Act 1972, except a parish or community council;
 - (b) any local authority, as defined in the Local Government (Scotland) Act 1973;
 - (c) a district council in Northern Ireland; and
 - (d) a port health authority.”
- (3) Nothing in this section affects an authorisation under section 19 of the 1985 Act which was given before this section came into force.