
STATUTORY INSTRUMENTS

2001 No. 3898

The Plant Protection Products (Payments) Regulations 2001

Modification of previous enactment

2.—(1) Section 18 of the Act (payments for general purposes of Part III of the Act) shall be modified so as to apply separately in relation to plant protection products and controlled pesticides in accordance with the following provisions of this regulation.

(2) Subsection (1) and (2) (a) shall not apply in relation to plant protection products.

(3) Subsection (2) (other than paragraph (a)) shall apply so as to authorise payments to be required—

- (a) in relation to plant protection products on the basis of—
 - (i) information collected under section 16(11) of the Act in relation to such products; and
 - (ii) monitoring their effect and use; and
- (b) in relation to controlled pesticides, on the basis of—
 - (i) information collected under section 16(11) of the Act in relation to such pesticides; and
 - (ii) monitoring their effect and use.

(4) In deciding—

- (a) the persons from whom payments may be required under subsection (2), and
- (b) the principles and factors to apply under subsections (3) and (4),

in relation to plant protection products, the person making the decision shall ensure that payment of any amount is not required from a person not involved in production or sale of such products or from whom it would be inconsistent with implementation of the Directive to require it.

(5) The factors which may be applied under subsection (4) are—

- (a) in relation to any plant protection product, the turnover of that product or all plant protection products, and
- (b) in relation to any controlled pesticides, the turnover of that pesticide or of all such pesticides.

(6) The powers under subsections (5) to (7) shall not be exercised in relation to any plant protection product in a manner which is inconsistent with implementation of the Directive, but any sum due in pursuance of these Regulations in relation to such a product but unpaid shall be payable on demand.

(7) Subsection (8) shall not apply to payments relating to plant production products.

Changes to legislation:

There are currently no known outstanding effects for the The Plant Protection Products (Payments) Regulations 2001, Section 2.