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STATUTORY INSTRUMENTS

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**2018 No. 644**

**The Welsh Ministers (Transfer of Functions) Order 2018**

**Food and Environment Protection Act 1985**

**21.**—(1) The functions of a Minister of the Crown under sections 16 and 18 (control of pesticides) of the Food and Environment Protection Act 1985(1) (“the 1985 Act”), so far as those functions are exercisable in relation to Wales and so far as they have not already been transferred, are transferred to the Welsh Ministers (and accordingly the Welsh Ministers may exercise the functions under those sections in relation to Wales, acting alone).

(2) The requirements for Treasury consent under section 16(2)(j)(ii) and 18(3) of the 1985 Act cease to apply in so far as the functions under those sections are exercised by the Welsh Ministers.

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(1) 1985 c. 48. There are amendments to sections 16 which are not relevant to this instrument; section 16(2) was amended by section 1(2) and (3) of the Pesticides Act 1998 (c. 26); section 16(13A) was inserted by, and section 18 substituted by, section 1(1) of the Pesticides (Fees and Enforcement) Act 1989 (c. 27). The functions of the Minister of Agriculture, Fisheries and Food under sections 16 and 18, so far as they are exercisable in relation to Wales, were transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the 1999 Order and are now exercisable by the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006.