

SCHEDULE 4

UK STATUTORY INSTRUMENTS

209. After article 2 insert—

“Inspectors

2A.—(1) The functions of an inspector under articles 9, 10, 12, 13, 23 and 31(1) to (3) are exercisable—

- (a) in relation to tree pests and relevant material landed in England or Scotland, by an inspector authorised by the Commissioners;
- (b) in relation to tree pests and relevant material landed in Wales, by an inspector authorised by the Welsh Ministers.

(2) The functions of an inspector under article 30 are exercisable—

- (a) in relation to compliance with the provisions of this Order in England or Scotland, by an inspector authorised by the Commissioners;
- (b) in relation to compliance with the provisions of this Order in Wales, by an inspector authorised by the Welsh Ministers.

(3) The functions of an inspector under articles 31(4) to (7), 32, 40, and 41 are exercisable—

- (a) in relation to premises or a free zone in England or Scotland, by an inspector authorised by the Commissioners;
- (b) in relation to premises or a free zone in Wales, by an inspector authorised by the Welsh Ministers.

(4) In paragraph (5)—

- (a) “supplementary function” means a function of an inspector under articles 33, 35, 36 and 37;
- (b) “related function” means the function of an inspector under this Order in relation to which a supplementary function is exercised.

(5) A supplementary function is exercisable either by an inspector authorised by the Commissioners or by an inspector authorised by the Welsh Ministers according as the related function is exercisable under this article.

(6) The functions of an inspector under article 42 are exercisable—

- (a) by an inspector authorised by the Commissioners in relation to—
 - (i) premises in England or Scotland in respect of which a notice has been served under this Order;
 - (ii) possession or control of tree pests or relevant material in England or Scotland; and
 - (iii) sale or other disposal of tree pests or relevant material in England or Scotland;
- (b) by an inspector authorised by the Welsh Ministers in relation to—
 - (i) premises in Wales in respect of which a notice has been served under this Order;
 - (ii) possession or control of tree pests or relevant material in Wales; and
 - (iii) sale or other disposal of tree pests or relevant material in Wales.”

Changes to legislation:

There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, Paragraph 209.