



# Plant Health Act 1967

## 1967 CHAPTER 8

### 4 Execution of Act by government departments.

- (1) Orders under this Act may enable inspectors authorised by the Minister of Agriculture, Fisheries and Food or, in Scotland, the Secretary of State—
- (a) in the case of any specified pest which has been introduced into Great Britain, to take the following action, that is to say—
- (i) to remove or destroy, or cause to be removed or destroyed, any crop, or any seed, plant or part thereof, which has on it, or is infected with, the pest, or to or by means of which the pest is likely to spread; and
- (ii) generally to take such steps as he may think expedient in connection with any crop, or any seed, plant or part thereof, for preventing the spread of the pest;
- (b) to enter on any land [<sup>F1</sup>or elsewhere] for the said purposes, or for the purpose of any examination or inquiry authorised by the orders, or for any other purpose of the orders;
- and may impose in respect of any certificate given in pursuance of the order after an inspection such fee or other charge as, with the consent of the Treasury, may be prescribed by the Minister or Secretary of State.
- (2) The Minister or Secretary of State may pay compensation in respect of any crop, or any seed, plant or part thereof, which is removed or destroyed by or under the instructions of an inspector authorised by him; and its value shall be taken to be the value which it has at the time of the removal or destruction and, if the Minister or Secretary of State so requires, shall be ascertained by his officers or by arbitration.
- (3) The expenses of the Minister and Secretary of State in the execution of this Act, including any compensation under subsection (2) above, shall be paid out of moneys provided by Parliament, but shall not without the consent of the Treasury exceed two thousand pounds in any year.

#### Subordinate Legislation Made

P1 S. 4(1): s. 3(1) (with ss. 1(2)(b), 3(2)(4) and 4(1)) power exercised (S.) by [S.I.1991/1905](#).

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**Changes to legislation:** Plant Health Act 1967, Section 4 is up to date with all changes known to be in force on or before 07 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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**Textual Amendments**

**F1** Words inserted by [European Communities Act 1972 \(c. 68, SIF 29:5\)](#), s. 4, **Sch. 4 para. 8(3)**

**Modifications etc. (not altering text)**

**C1** S. 4 continued (1.7.1999) by [S.I. 1999/672](#), art. 2, **Sch. 1**

**C2** S. 4(1) functions modified (W.) (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **9(1)**

**C3** S. 4(3) modified (W.) (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **9(2)**

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3(4B) inserted by [2003 c. 44 Sch. 27 para. 1\(3\)](#)