



# Natural Environment and Rural Communities Act 2006

## 2006 CHAPTER 16

### PART 3

#### WILDLIFE ETC.

##### *Pesticides harmful to wildlife*

#### 45 Codes of practice

- (1) The Secretary of State may—
  - (a) issue a code of practice in connection with any of the provisions of section 44 or Schedule 2 to the Food and Environment Protection Act 1985 (c. 48) as applied by section 44(4), and
  - (b) revise or replace such a code.
- (2) An inspector must have regard to any relevant provision of a code when discharging any function under any provision mentioned in subsection (1)(a).
- (3) But an inspector's failure to have regard to any provision of a code does not make him liable to criminal or civil proceedings.
- (4) A code—
  - (a) is admissible in evidence in any proceedings, and
  - (b) must be taken into account by a court in any case in which it appears to the court to be relevant.