

SCHEDULE 4

Regulation 10(2)(a)

MODIFICATIONS OF ENFORCEMENT PROVISIONS OF THE ACT

1. In section 107 of the Act (validity of decisions and proceedings relating thereto)—
 - (a) in subsection (1), the reference to Part II of the Act shall include a reference to these Regulations and the reference to a licence shall include a reference to a marketing authorization;
 - (b) in subsections (2)(a) and (3)(b), any reference to the Act shall include a reference to these Regulations; and
 - (c) in subsection (4), any reference to a licence shall include a reference to a marketing authorization.
2. In section 108 of the Act (enforcement in England and Wales)—
 - (a) in subsection (1), the reference to the Act shall include a reference to these Regulations and the relevant Community provisions; and
 - (b) in subsection (2)(c), the reference to sections 93 and 94 of the Act shall include a reference to these Regulations and those provisions.
3. In section 109 of the Act (enforcement in Scotland), in subsection (1), the reference to the Act shall include a reference to these Regulations and the relevant Community provisions.
4. In section 110 of the Act (enforcement in Northern Ireland), in subsection (1), the reference to the Act shall include a reference to these Regulations and the relevant Community provisions.
5. In section 111 of the Act (rights of entry)—
 - (a) in subsection (1), the first reference to the Act shall include a reference to these Regulations and the relevant Community provisions;
 - (b) in subsection (2), the first reference to the Act shall include a reference to these Regulations and Council Regulation (EEC) No. 2309/93; and
 - (c) in subsection (3), any reference to a licence under Part II of the Act shall include a reference to a marketing authorization.
6. In section 112 of the Act (power to inspect, take samples and seize goods and documents)—
 - (a) in subsection (1), the first reference to the Act shall include a reference to these Regulations and Council Regulation (EEC) No. 2309/93;
 - (b) in subsection (4), any reference to the Act shall include a reference to these Regulations;
 - (c) in subsections (5) and (9), any reference to the Act shall include a reference to these Regulations and Council Regulation (EEC) No. 2309/93; and
 - (d) in subsection (7), any reference to a licence under Part II of the Act shall include a reference to a marketing authorization.
7. In section 118 of the Act (restrictions on disclosure of information), in subsection (1), the second reference to the Act shall include a reference to these Regulations and Council Regulation (EEC) No. 2309/93.
8. In section 119 of the Act (protection for officers of enforcement authorities), any reference to the Act shall include a reference to these Regulations and Council Regulations (EEC) No. 2309/93.
9. In section 121 of the Act (contravention due to default of other person)—
 - (a) in subsections (1) and (2), any reference to the Act shall include a reference to these Regulations; and

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- (b) in subsection (4), the reference to sections 63 to 65, 85 to 90 and 93 to 96 of the Act shall include a reference to paragraphs 11 and 12 of Schedule 3 to these Regulations.
- 10.** In section 122 of the Act (warranty as a defence)—
- (a) in subsection (1), the reference to the Act shall include a reference to these Regulations; and
 - (b) in subsection (2), the reference to sections 63(b), sections 64 and 65, sections 85 to 88 and section 90 of the Act shall include a reference to paragraphs 11 and 12 of Schedule 3 to these Regulations.
- 11.** In section 124 of the Act (offences by bodies corporate), in subsection (1), the reference to the Act shall include a reference to these Regulations.
- 12.** In section 125 of the Act (prosecutions)—
- (a) in subsections (1) to (3), any reference to the Act shall include a reference to these Regulations; and
 - (b) in subsections (4) and (6), the second reference to the Act shall include a reference to these Regulations.
- 13.** In section 127 of the Act (service of documents), the reference to the Act shall include a reference to these Regulations and Council Regulation [\(EEC\) No. 2309/93](#).
- 14.** In Schedule 3 to the Act (sampling), in paragraph 1(1), the first reference to the Act shall include a reference to these Regulations and Council Regulation [\(EEC\) No. 2309/93](#).