

## SCHEDULE 1

### Powers of authorised persons

#### Enforcement Notices

8.—(1) If an authorised person is of the opinion that a person—

- (a) is committing an offence [<sup>F1</sup>under regulation 23 by contravening or failing to comply with any paragraph of regulations 9 to 19] ; or
- (b) has committed such an offence in circumstances that make it [<sup>F2</sup>likely] that the offence will be repeated,

he or she may serve on that person a notice that he or she is of that opinion, specifying the offence as to which he or she is of that opinion and directing them to take either of the steps set out at sub-paragraph (2).

(2) A notice under sub-paragraph (1) may direct—

- (a) that any [<sup>F3</sup>premises] on or in which it appears that the offence was being committed or anything which is on or in it, shall be left undisturbed (whether generally or in particular respects) for as long as it appears to be reasonably necessary; or
- (b) that remedial or preventative measures shall be taken.

(3) If an authorised person is of the opinion that a person is committing, or is likely to commit, an offence [<sup>F4</sup>under regulation 23 by contravening or failing to comply with any paragraph of regulations 9 to 19] he or she may serve on that person a notice—

- (a) stating that opinion;
- (b) specifying why he or she is of that opinion; and
- (c) requiring that person to act in accordance with these Regulations or prohibiting that person from acting in contravention of these Regulations.

(4) A notice served under sub-paragraph (1) or (3) must be in writing and must give a time limit for compliance with the notice.

(5) An authorised person may withdraw a notice served under sub-paragraph (1) or (3) at any time.

(6) An authorised person may serve a person with a notice under sub-paragraph (1) or (3) even if a previous notice served on that person has been withdrawn.

#### Textual Amendments

- F1** Words in Sch. 1 para. 8(1)(a) substituted (18.7.2012) by The Plant Protection Products (Sustainable Use) Regulations 2012 (S.I. 2012/1657), regs. 1(1), 32(2), Sch. 5
- F2** Word in Sch. 1 para. 8(1)(b) substituted (18.7.2012) by The Plant Protection Products (Sustainable Use) Regulations 2012 (S.I. 2012/1657), regs. 1(1), 32(2), Sch. 5
- F3** Word in Sch. 1 para. 8(2)(a) substituted (18.7.2012) by The Plant Protection Products (Sustainable Use) Regulations 2012 (S.I. 2012/1657), regs. 1(1), 32(2), Sch. 5
- F4** Words in Sch. 1 para. 8(3) substituted (18.7.2012) by The Plant Protection Products (Sustainable Use) Regulations 2012 (S.I. 2012/1657), regs. 1(1), 32(2), Sch. 5

**Changes to legislation:**

There are currently no known outstanding effects for the The Plant Protection Products Regulations 2011, Paragraph 8.