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Make provision for the protection of horses from ragwort poisoning; to amend the Weeds Act 1959; and for connected purposes.

BE IT ENACTED, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Amendment of Weeds Act 1959 to provide for the control of ragwort

The Weeds Act 1959 (c. 54) is amended by the insertion after section 1 of the following new sections: 5

“1A Duty on relevant occupiers to control ragwort on relevant land

- (1) A relevant occupier must take all reasonable steps to remove ragwort from relevant land occupied by him and to prevent the growth or regrowth of ragwort on such land. 10
- (2) For the purposes of this Act a relevant occupier is—
 - (a) a highway authority within the meaning of Part I of the Highways Act 1980 (c. 66); or
 - (b) a statutory undertaker within the meaning of section 262 of the Town and Country Planning Act 1990 (c. 8); 15
- (3) For the purpose of this Act relevant land is—
 - (a) highway (including carriageway, footway, verges and any other area) maintainable at the public expense; or
 - (b) operational land of a statutory undertaker within the meaning of section 263 of the Town and Country Planning Act 1990 (c. 8). 20
- (4) In carrying out his duty under this section a relevant occupier shall have regard to any code of practice or other guidance issued from time to time by the Minister.

1B Duty to report annually on measures taken to control ragwort

A relevant occupier shall within two months of the end of every 25

calendar year submit to the Minister a report (a “ragwort control report”) setting out, in such form as may be specified in a code of practice or other guidance issued from time to time by the Minister, details of the existence of ragwort on relevant land occupied by the relevant occupier and what measures he has taken during the previous calendar year to remove ragwort and prevent the growth or regrowth of ragwort on such land. 5

1C Issue of a code of practice and other guidance as to the control of ragwort

- (1) The Minister may issue a code of practice or such other guidance as he thinks fit providing practical guidance on what measures constitute reasonable steps to control the growth of ragwort and on the appropriate form and content of a ragwort control report. 10
- (2) Without prejudice to the generality of subsection 1 such a code of practice may include guidance on the following matters— 15
 - (a) identifying ragwort;
 - (b) methods for treating ragwort once established;
 - (c) the appropriate times for treating ragwort; and
 - (d) measures to prevent the growth or regrowth of ragwort.”

2 Further amendment of Weeds Act 1959

Section 1 of the Weeds Act 1959 is amended by the insertion after subsection (1) of the following new subsection: 20

“(1A) Where the Minister is satisfied that a relevant occupier has not complied with his duty under sections 1A or 1B he may serve upon the relevant occupier a notice in writing requiring the relevant occupier, within the time specified in the notice, to take such actions as may be necessary to remove ragwort from or prevent the growth or regrowth of ragwort on relevant land specified in the notice.” 25

3 Financial provisions

There is to be paid out of money provided by Parliament—

- (a) *any expenses incurred by the Secretary of State in consequence of any provision of this Act, and* 30
- (b) *any increase attributable to this Act in the sums payable out of money so provided under any other Act.*

4 Short title, commencement and extent

- (1) This Act may be cited as the Equine Welfare (Ragwort Control) Act 2003. 35
- (2) This Act comes into force at the end of the period of three months beginning with the day on which it is passed.

Equine Welfare (Ragwort Control) Bill

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To make provision for the protection of horses from ragwort poisoning; to amend the Weeds Act 1959; and for connected purposes.

*Presented by Mr John Greenway,
supported by
Mr Peter Atkinson, Mr Henry Bellingham,
Mr Geoffrey Clifton-Brown, Jeff Ennis, Mr James Gray,
Mr Alan Meale, Mr Richard Page, Mr James Paice,
Mr Owen Paterson and Mr Richard Spring.*

*Ordered, by the House of Commons,
to be Printed, 11th December 2002.*

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Fax 01603 723000*

PUBLISHED BY AUTHORITY OF THE HOUSE OF COMMONS
LONDON: THE STATIONERY OFFICE LIMITED
Printed in the United Kingdom by
The Stationery Office Limited

£1.50

Bill 27

(829614)

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