SCOTTISH STATUTORY INSTRUMENTS

2002 No. 164

PLANT HEALTH

The Plant Health (Great Britain) Amendment (Scotland) Order 2002

Made - - - -	*27th March 2002*
Laid before the Scottish Parliament - - - -	*28th March 2002*
Coming into force - -	*1st April 2002*

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(**1**) and of all other powers enabling them in that behalf, hereby make the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Plant Health (Great Britain) Amendment (Scotland) Order 2002 and shall come into force on 1st April 2002.

(2) This Order extends to Scotland only.

Amendment of the Plant Health (Great Britain) Order 1993

2. The Plant Health (Great Britain) Order 1993(**2**) is amended in accordance with articles 3 to 8 below.

3. In article 2(1) (interpretation) for the definition of "Directive 2000/29/EC" there is substituted–

> ""Directive 2000/29/EC" means Council Directive 2000/29/EC(**3**) of 8th May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community as amended by Commission Directive 2001/33/EC(**4**) and by Commission Directive 2002/28/EC(**5**);".

(**1**) 1972 c. 68; section 2(2) was amended by the Scotland Act 1998 (c. 46), Schedule 8, paragraph 15(3). The function conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, was transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.
(**2**) S.I.1993/1320, amended by S.I. 1993/3213, 1995/1358 and 2929, 1996/25, 1165 and 3242, 1997/1145 and 2907, 1998/349 and 1121, S.S.I 1999/22 and 2001/249 (which is partially revoked by this Order).
(**3**) O.J. No. L 169, 10.7.00, p.1.
(**4**) O.J. No. L 127, 9.5.01, p.42; and see the associated Commission Directive 2001/32/EC, O.J. No. L 127, 9.5.01, p.38.
(**5**) O.J. No. L 77, 20.3.02, p.23; and see the associated Commission Directive 2002/29/EC, O.J. No. L 77, 20.3.02, p.26.

4. In Schedule 1, Part B, section (d) (virus and virus-like organisms), in the entry in the second column opposite item number 1 for "UK" there is substituted "UK (Northern Ireland)".

5. In Schedule 2, Part B, section (b) (bacteria), for the entry in the third column opposite item number 2 in the first column there is substituted–

> "E, F (Corsica), IRL, I (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlí-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto: except in the province of Rovigo, the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertiano, Castelguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusia, Pincara, Stienta, Gaiba, Salara, and in the province of Padova, the communes Castlebaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona, the communes of Palù, Roverchiara, Legnago (the portion of the communal territory situated to the north east of the Transpolesana national road), Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), P, FI, UK (Northern Ireland, Isle of Man and Channel Islands)".

6. In Schedule 3, Part B, (plants, plant products and other objects the introduction of which shall be prohibited in certain protected zones) for the entry in the second column opposite item number 1 in the first column, there is substituted–

> "E, F (Corsica), IRL, I (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlí-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto: except in the province of Rovigo, the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertiano, Castelguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusia, Pincara, Stienta, Gaiba, Salara, and in the province of Padova, the communes Castlebaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona, the communes of Palù, Roverchiara, Legnago (the portion of the communal territory situated to the north east of the Transpolesana national road), Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), P, FI, UK (Northern Ireland, Isle of Man and Channel Islands)".

7. In Schedule 4, Part B (special requirements which shall be laid down for the introduction and movement of plants, plant products and other objects into and within certain protected zones)–

(a) in the entries in the third column opposite items 20.1 and 20.2 for "UK" there is substituted "UK (Northern Ireland)";

(b) for the entry in the second column opposite item number 21 in the first column after "(a) the plants originate in the protected zones", and for the entry in the third column opposite that item there is substituted–

> "E, F (Corsica), IRL, I (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlí-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria;