Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Plant Protection Products Amendment (Scotland) Regulations 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCOTTISH STATUTORY INSTRUMENTS

2002 No. 117

PESTICIDES

The Plant Protection Products Amendment (Scotland) Regulations 2002

Made - - - -	*5th March 2002*
Laid before the Scottish Parliament - - - -	*8th March 2002*
Coming into force - -	*30th March 2002*

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972[F1] and of all other powers enabling them in that behalf, hereby make the following Regulations:

F1 1972 c.68. Section 2(2) was amended by the Scotland Act 1998 (c.46), **Schedule 8 paragraph 15(3)**. The functions conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, in so far as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Plant Protection Products Amendment (Scotland) Regulations 2002 and shall come into force on 30th March 2002.

(2) These Regulations extend to Scotland only.

Amendment of the Plant Protection Products Regulations 1995

2. Insert after the last entry in Schedule 4 to the Plant Protection Products Regulations 1995 [F2], the entry–

"Commission Directive 2001/87/EC	O.J. No. L 276, 19.10.01, p.17".

F2 S.I. 1995/887, amended by S.I. 1997/7 and 2499 and S.S.I. 2001/161 and 454. Schedule 4 was inserted by S.S.I. 2001/454.

Transitional arrangements for provisional approvals

3.—(1) The provisions at paragraph (2) below shall apply, notwithstanding the amendment made by these Regulations, to the Plant Protection Products Regulations 1995.

(2) In relation to the active substances acibenzolar-s-methyl and pymetrozine in Annex I–

(a) any approval issued pursuant to regulation 7(1) (provisional approvals) or extended pursuant to regulation 7(5) in respect of any plant protection product containing either of those active substances shall not cease to have effect by reason only of the inclusion of those active substances in Annex I;

(b) any such approval or extension which provides for its expiry at a date prior to 31st March 2003 shall not expire at the date provided for, but shall continue in force until the date ascertained in accordance with sub-paragraph (d) below on the same terms and conditions under which it was approved or extended (save as to date of expiry so provided);

(c) any such approval or extension which provides for its expiry at a date on or after 31st March 2003 shall cease to have effect on the date ascertained in accordance with sub-paragraph (d) below;

(d) any approval or extension to which sub-paragraph (b) or (c) above applies shall cease to have effect on the date on which a decision made on an application for approval under regulation 5(1) (standard approvals) has effect or 31st March 2003, whichever is earlier.

(3) In paragraph (2) above, "Annex I" means Annex I to Council Directive 1991/414/EC concerning the placing of plant protection products on the market, as amended [F3].

F3 O.J. No. L 230, 19.8.91, p.1 (as read with Corrigenda published in O.J. No. L 170, 25.6.92, p.40) as last amended by Commission Directive 2001/87/EC (O.J. No. L 276, 19.10.01, p.17). A full list of the instruments that amend Council Directive 91/414/EEC is contained in Schedule 4 to the Plant Protection Products Regulations 1995.

Revocation

4. Regulation 3 of the Plant Protection Products (Amendment) Regulations 1997 [F4] is revoked.

F4 S.I. 1997/7.

Pentland House, Edinburgh
5th March 2002

ROSS FINNIE
A member of the Scottish Executive