Changes to legislation: *The Plant Health (Great Britain) Amendment (Scotland) Order 2001 is up to date with all changes known to be in force on or before 16 February 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCOTTISH STATUTORY INSTRUMENTS

2001 No. 249

PLANT HEALTH

The Plant Health (Great Britain) Amendment (Scotland) Order 2001

Made - - - -	*26th June 2001*
Laid before the Scottish Parliament - - - -	*28th June 2001*
Coming into force - -	*18th September 2001*

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 Order:

F1 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.

Citation, commencement and extent

1.—(1) This Order may be cited as the Plant Health (Great Britain) Amendment (Scotland) Order 2001 and shall come into force on 18th September 2001.

(2) This Order extends to Scotland only.

Amendment of the Plant Health (Great Britain) Order 1993

2. The Plant Health (Great Britain) Order 1993 [F2] is amended in accordance with the following articles.

F2 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 and S.S.I. 1999/22.

3. In article 2(1) (interpretation)–

(a) for the definition of "Directive 77/93/EEC" there shall be substituted–

""Directive 2000/29/EC" means Council Directive 2000/29/EC[F3] 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 2001/32 [F4] and Commission Directive 2001/33/EC[F5];";

and

(b) in the definition of "protected zone"–

(i) for "Directive 77/93/EEC" in each place where those words occur, there shall be substituted " Directive 2000/29/EC "; and

(ii) for "Article 16a" there shall be substituted " Article 18 ".

F3 O.J. No. L 169, 10.7.00, p.1.
F4 O.J. No. L 127, 9.5.01, p.38.
F5 O.J. No. L 127, 9.5.01, p.42.

4. In article 30 (licences) for "Directive 77/93/EEC" there shall be substituted " Directive 2000/29/EC ".

5. In Schedule 1, Part B, section (a) (insects, mites and nematodes, at all stages of their development)–

(a) in the entry in the second column opposite item number 1 in the first column, "DK," shall be omitted; and

(b) for the entry in the second column opposite item number 2 in the first column, there shall be substituted–

"E (Ibiza and Menorca), IRL, P (Azores and Maderia), FI (districts of Åland, Håme, Kymi, Pirkanmaa, Satakunta, Turku, Uusimaa), S (counties of Blekinge, Gotlands, Halland, Kalmar and Skåne), UK".

6. In Schedule 1, Part B, section (d) (viruses and virus-like organisms), in the entry in the second column opposite item number 2 in the first column, "DK," shall be omitted.

7. In Schedule 2, Part B, section (a) (insects, mites and nematodes, at all stages of their development)–

(a) in the entry in the third column opposite item number 5 in the first column, for "EL, P" there shall be substituted–

""EL, P (Azores; district of Beja: all concelhos; district of Castelo Branco: concelhos de Castelo Branco, Fundão and Penamacôr, Idanha-a-Nova; district of Évora with the exception of concelhos de Montemor-o-Novo, Mora and Vendas Novas; district of Faro: all concelhos; district of Portalegre: concelhos de Arronches, Campo Maior, Elvas, Fronteira, Monforte and Sousel)";"

and

(b) item number 8 shall be omitted.

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

"E, F (Corsica), IRL, I (Abruzzi; Basilicata; Calabria; Campania; Emilia-Romagna; provinces of Forlí-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Apulia; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto), A (Burgenland, Carinthia, Lower Austria, East Tyrol, Styria, Vienna), P, FI, UK (Northern Ireland, Isle of Man and Channel Islands)".

9. 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 shall be substituted–

"E, F (Corsica), IRL, I (Abruzzi; Basilicata; Calabria; Campania; Emilia-Romagna; provinces of Forlí-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Apulia; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto), A (Burgenland, Carinthia, Lower Austria, East Tyrol, Styria, Vienna), P, FI, UK (Northern Ireland, Isle of Man and Channel Islands)".

10. In Schedule 4, Part A, Section 1 (plants, plant products and other objects originating outside of the Community)–

(a) in the entry in the second column–

(i) opposite item number 16.2(b) and (c) in the first column;

(ii) opposite item number 16.3(b) in the first column;

(iii) opposite item number 16.3a(b) in the first column; and

(iv) opposite item number 25.4(b) in the first column,

for "Directive 77/93/EEC" there shall be substituted " Directive 2000/29/EC "; and

(b) in the entry in the second column opposite item number 25.4(b) in the first column for "Article 16(a)" there shall be substituted " Article 18 ".

11. 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) item number 13 shall be omitted;

(b) for the entry in the third column opposite item number 19 in the first column there shall be substituted–

"EL, P (Azores; district of Beja: all concelhos; district of Castelo Branco: concelhos de Castelo Branco, Fundão and Penamacôr, Idanha-a-Nova; district of Évora with the exception of concelhos de Montemor-o-Novo, Mora and Vendas Novas; district of Faro: all concelhos; district of Portalegre: concelhos de Arronches, Campo Maior, Elvas, Fronteira, Monforte and Sousel)";

(c) in the entry in the third column opposite item number 21 in the first column, there shall be substituted–

"E, F (Corsica), IRL, I (Abruzzi; Basilicata; Calabria; Campania; Emilia-Romagna; provinces of Forlí-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Apulia; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto), A (Burgenland, Carinthia, Lower Austria, East Tyrol, Styria, Vienna), P, FI, UK (Northern Ireland, Isle of Man and Channel Islands)"; and