STATUTORY RULES OF NORTHERN IRELAND

2019 No. 41

PLANT HEALTH
SEEDS

The Plant Health and Seeds (Miscellaneous Amendments) Regulations (Northern Ireland) 2019

Made - - - -	*6th March 2019*
Coming into operation	*28th March 2019*

The Department of Agriculture, Environment and Rural Affairs [F1], in exercise of the powers conferred by section 2(2) of and paragraph 1A of Schedule 2 to the European Communities Act 1972 [F2], makes the following Regulations.

These Regulations make provision for a purpose mentioned in section 2(2) of that Act and it appears to the Department that it is expedient for references to the instruments specified in regulations 2 to 7 to be construed as references to those instruments as amended from time to time.

The Department of Agriculture, Environment and Rural Affairs is designated for the purposes of section 2(2) of the European Communities Act 1972 in relation to the common agricultural policy of the European Union [F3].

F1 Formerly the Department of Agriculture and Rural Development (DARD) (see Article 3(4) of the Departments (Northern Ireland) Order 1999 (S.I. 1999/283 (N.I.1). DARD was renamed the Department of Agriculture, Environment and Rural Affairs by Article 1(2) of the Departments Act (Northern Ireland) 2016 (2016 c.5 (N.I.))

F2 1972 c. 68; section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) (the 2006 Act) and by Part 1 of Schedule 1 to the European Union (Amendment) Act 2008 (c. 7) (the 2008 Act). Paragraph 1A of Schedule 2 was inserted by section 28 of the 2006 Act and by Part 1 of Schedule 1 to the 2008 Act.

F3 S.I. 2000/2812

PART 1

Introduction

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Plant Health and Seeds (Miscellaneous Amendments) Regulations (Northern Ireland) 2019 and come into operation on 28th March 2019.

(2) The Interpretation Act (Northern Ireland) 1954 [F4] applies to these Regulations as it applies to an Act of the Assembly.

F4 1954 c. 33 (N.I.)

PART 2

Amendment of the Seed Potatoes Regulations

Amendment of the Seed Potatoes Regulations (Northern Ireland) 2016

2.—(1) The Seed Potatoes Regulations (Northern Ireland) 2016 [F5] are amended as follows.

(2) In regulation 2(1) (interpretation general), in the definition of—

(a) "Commission Decision 2004/842/EC" at the end insert " as amended from time to time ";

(b) "Commission Directive 2008/62/EC" at the end insert " as amended from time to time ";

(c) "Council Directive 2002/53/EC" at the end insert " as amended from time to time ";

(d) "Council Directive 2002/56/EC" at the end insert " as amended from time to time ";

(e) "Directive 2001/18/EC" at the end insert " as last amended by Commission Directive (EU) 2018/350 [F6] ";

(f) "Directive 2014/20/EU" at the end insert " as amended from time to time ";

(g) "Regulation 1829/2003" at the end insert " as amended from time to time ".

F5 S.R. 2016 No. 190
F6 OJ No L 67, 09.03.18, p. 30

PART 3

Amendment of the Marketing of Plant Material Regulations

The Marketing of Vegetable Plant Material Regulations (Northern Ireland) 1995

3.—(1) The Marketing of Vegetable Plant Material Regulations (Northern Ireland) 1995 [F7] are amended as follows.

(2) In regulation 2(2) (interpretation)—

(a) omit the definition of "Directive 92/33/EEC";

(b) in the definition of "Directive 93/61/EEC" for "Directive 92/33/EEC" substitute " Directive 2008/72/EC ";

(c) after the definition of "Directive 93/61/EEC", insert—

""Directive 2008/72/EC" means Council Directive 2008/72/EC of 15th July 2008 [F8] on the marketing of vegetable propagating and planting material, other than seed, as amended from time to time;";

(3) In regulation 3(1)(a), for "Directive 93/33/EEC" substitute " Directive 2008/72/EC ".

(4) In regulation 5(d)(ii), for "Directive 92/33/EEC" substitute " Directive 2008/72/EC ".

F7 S.R. 1995 No. 415 as amended by S.R. 2007 No. 400 and S.I. 2011/1043
F8 OJ No L 25, 01.08.2008, p. 28 - 39

The Marketing of Ornamental Plant Propagating Material Regulations (Northern Ireland) 1999

4.—(1) The Marketing of Ornamental Plant Propagating Material Regulations (Northern Ireland) 1999 [F9] are amended as follows.

(2) In regulation 2(2) (interpretation)—

(a) omit the definition of "Directive 77/93/EEC";

(b) in the definition of "Directive 98/56/EC" at the end insert " as amended from time to time ";

(c) after the definition of "Directive 98/56/EC" insert—

""Directive 2000/29/EC" means Council Directive 2000/29/EC[F10] on protective measures against the introduction into the Community of organisms harmful to plants or plant products and their spread within the Community;";

(d) in the definition of "Regulation 2100/94" at the end insert " as amended from time to time ".

(3) In regulation 9(2), for "Council Directive 77/93/EC" substitute " Directive 2000/29/EC ".

F9 S.R. 1999 No. 502, as amended by S.R. 2018 No. 183
F10 OJ No L 169, 10.07.2000, p. 1 - 112

The Marketing of Fruit Plant and Propagating Material Regulations (Northern Ireland) 2017

5.—(1) The Marketing of Fruit Plant and Propagating Material Regulations (Northern Ireland) 2017 [F11] are amended as follows.

(2) In regulation 3(1) (interpretation: European Union instruments), in the definition of—

(a) "Directive 2000/29/EC" at the end insert " as amended from time to time ";

(b) "Directive 2014/96/EU" at the end insert " as amended from time to time ";

(c) "Directive 2014/97/EU" at the end insert " as amended from time to time ";

(d) "Directive 2014/98/EU" at the end insert " as amended from time to time ";

(e) "the Directive" at the end insert " as amended from time to time ".

(3) In Schedule 3, paragraph 11 (interpretation), in the definition of—

(a) "Directive 2001/18/EC" at the end insert " as amended from time to time ";

(b) "Regulation (EC) No 1829/2003" at the end insert " as amended from time to time ".