STATUTORY RULES OF NORTHERN IRELAND

2011 No. 352

PLANT HEALTH

The Plant Health (Amendment No.3) Order (Northern Ireland) 2011

Made - - - -	*6th October 2011*
Coming into operation	*16th November 2011*

The Department of Agriculture and Rural Development(**1**), in exercise of the powers conferred by sections 2 and 3 of the Plant Health Act (Northern Ireland) 1967(**2**), makes the following Order.

Citation and commencement

1. This Order may be cited as The Plant Health (Amendment No.3) Order (Northern Ireland) 2011 and shall come into operation on 16th November 2011.

Amendments to the Plant Health Order (Northern Ireland) 2006

2. The Plant Health Order (Northern Ireland) 2006(**3**) is amended as follows.

Insertion of new article 35(5)

3. In Article 35 (Service of notices) insert—

> "(5) Where a notice is to be served on a potato grower or occupier of premises under Article 38A(3) and the last known place of abode or business of that person cannot be ascertained after reasonable inquiry, the notice shall be deemed to be served seven days after it has been addressed to "the occupier" and affixed conspicuously to an object on the premises on which the crop is growing or on which the potato, soil or waste material is or has been kept.".

Insertion of new articles 38A and 38B

4. After Article 38 (Miscellaneous provisions for certain solanaceous species) insert—

(**1**) Formerly the Department of Agriculture for Northern Ireland; see S.I. 1999/283 (N.I.1), Article 3(4)
(**2**) 1967 c.28 (N.I.) as amended by S.R. & O. (N.I.) 1972 No.351Art. 3 and Sch. 2; 1979 c. 2, s. 177 (1) and Sch. 4 Pt.II; S.I. 1984/702 (N.I. 2) Art. 15(2) and 2010 c.10 (N.I.) section 14(2)
(**3**) S.R. 2006 No.82 as amended by S.R. 2006 No.165; S.R. 2006 No.435; S.R. 2007 No.333; S.R. 2007 No.483; S.R. 2008 No. 205; S.R. 2008 No.442; S.R. 2008 No.493; S.R. 2009 No. 179; S.R. 2010 No.197; S.R. 2010 No. 232; S.R. 2010 No.307 and S.R. 2011 No.22