STATUTORY RULES OF NORTHERN IRELAND

2010 No. 307

PLANT HEALTH

The Plant Health (Amendment No. 3) Order (Northern Ireland) 2010

Made - - - -	*8th September 2010*
Coming into force - -	*8th September 2010*

The Department of Agriculture and Rural Development (**1**)in exercise of the powers conferred by section 2 (**2**) 3 (**3**)and 4(1) (**4**)of the Plant Health Act (Northern Ireland) 1967(**5**), makes the following Order:

Title and commencement

1. This Order may be cited as the Plant Health (Amendment No.3) Order (Northern Ireland) 2010 and comes into force on 8th September 2010.

Amendments to the Plant Health Order (Northern Ireland) 2006

2. The Plant Health Order (Northern Ireland) 2006(**6**) is amended as follows.

Article 20 (prevention of the spread of plant pests)

3. In article 20(2) after "Part 6" insert "or 7".

Article 31 (examination, sampling and marking)

4. In article 31(1), after "for the purpose of", insert "determining whether any plant pest is present there (or for determining the distribution of any plant pest) or for the purpose of".

(**1**) Formerly the Department of Agriculture for Northern Ireland; see S.I. 1999/283 (N.I.I) Art.3(4)
(**2**) As amended by S.R.& O. (N.I.) 1972 No. 351 Art.3 and Sch.2;1979 c.2 s.177(1) and Sch 4 Pt II; and S.I. 1984/702 (N.I.) Art.15(2)
(**3**) Section 3(1) was amended by S.R.&O. (N.I.) 1972 No. 351 Art.3 and Sch.2; Section 3B was inserted by S.I. 1984/702 (N.I. 2) Art.15(2)
(**4**) As amended by S.R.& O. (N.I.) 1972 No. 351 Art.3 and Sch.2 and S.I. 1984/702 (N.I.2) Art.15(2)
(**5**) 1967 c28 (N.I.)
(**6**) S.R. 2006 No.82, as amended by S.R.2006 No.82, 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 and S.R.2009 No.179

Article 44 (offences)

5. In article 44(1)(a)(**7**), for paragraphs (xv) and (xvi), substitute—

"(xv) article 41(1);

(xvi) article 42(1); or

(xvii) paragraphs 3, 4, 5 or 6 of Schedule 15;".

Schedule 15 (special measures for the control of Potato Cyst Nematode)

6. For Schedule 15, substitute the text contained in the Schedule to this Order.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 8th September 2010

L.S.

John Speers
A senior officer of the Department of Agriculture and Rural Development

(**7**) There are amendments to article 44 (1)(a) that are not relevant to this Order