STATUTORY RULES OF NORTHERN IRELAND

2002 No. 285

PLANT HEALTH

The Plant Health (Wood and Bark) (Amendment) Order (Northern Ireland) 2002

Made - - - -	*16th September 2002*
Coming into operation	*23rd September 2002*

The Department of Agriculture and Rural Development(**1**) in exercise of the powers conferred on it by sections 2(**2**), 3(1)(**3**), 3A(**4**), 3B(1)(**5**) and 4(1)(**6**) of the Plant Health Act (Northern Ireland) 1967(**7**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and comencement

1. This Order may be cited as the Plant Health (Wood and Bark) (Amendment) Order (Northern Ireland) 2002 and shall come into operation on 23rd September 2002.

Amendment of the Plant Health (Wood and Bark) Order (Northern Ireland) 1993

2.—(1) The Plant Health (Wood and Bark) Order (Northern Ireland) 1993(**8**) shall be amended in accordance with paragraphs (2) to (6).

(2) In Article 2(1) –

(a) for the definition of "Directive 77/93/EEC"(**9**) there shall be substituted the following definition:

> ""Directive 2000/29/EC" means Council Directive 2000/29/EC(**10**) 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

(**1**) Formerly the Department of Agriculture: *see*S.I.1999/283 (N.I. 1) Article 3(4)
(**2**) As amended by S.R. & O. (N.I.) 1972 No. 351Art. 3 and Sch. 2; 1979 c. 2, s.177(1) and Sch.4, Part II and S.I. 1984/702 (N.I. 2) Art. 15(2)
(**3**) As amended by S.R. & O. (N.I.) 1972 No. 351 Art.3 and Sch. 2
(**4**) Inserted by S.I. 1975/1038 (N.I. 8) Art. 11(2)
(**5**) Inserted by S.I. 1984/702 (N.I. 2) Art. 15(2)
(**6**) As amended by S.I. 1984/702 (N.I. 2) Art. 15(2)
(**7**) 1967 c. 28 (N.I.)
(**8**) S.R. 1993 No. 460; amended by S.R. 1996 No. 18 and S.R. 1997 No. 11, S.R. 1999 No. 24, S.R. 1999 No. 389 and S.R. 2001 No. 401
(**9**) O.J. No. L26, 1.77, p. 20
(**10**) O.J. No. L169, 10.7.00

the Community as amended by Commission Directive 2001/33/EC(**11**) of 8th May 2001 amending certain annexes to Council Directive 2000/29/EC;" and by Commission Directive 2002/28/EC(**12**) of 19th March 2002 amending certain annexes to Council Directive 2000/29/EC;" and

(b) in the definition of "protected zone", for "Article 16a of Directive 77/93/EEC" there shall be substituted "Article 18 of Directive 2000/29/EC".

(3) In Article 26, for "Directive 77/93/EEC" there shall be substituted "Directive 2000/29/EC".

(4) In Schedule 2, in Part B (WOOD AND ISOLATED BARK WHICH MAY NOT BE INTRODUCED INTO CERTAIN PROTECTED ZONES AND WHOSE MOVEMENT WITHIN THOSE ZONES IS PROHIBITED IF THEY ARE INFECTED WITH CERTAIN PESTS)

(a) in column (4) for the words opposite Item 1 there shall be substituted-

"Greece, Ireland, Spain, United Kingdom (Scotland, Northern Ireland, England: the following counties: Barnsley, Bath and North East Somerset, Bedfordshire, Bournemouth, Bracknell Forest, Bradford, Bristol, Brighton and Hove, Buckinghamshire, Calderdale, Cambridgeshire, Cornwall, Cumbria, Darlington, Devon, Doncaster, Dorset, Durham, East Riding of Yorkshire, East Sussex, Essex, Gateshead, Greater London, Hampshire, Hartlepool, Hertfordshire, Kent, Kingston Upon Hull, Kirklees, Leeds, Leicester City, Lincolnshire, Luton, Medway Council, Middlesbrough, Milton Keynes, Newbury, Newcastle Upon Tyne, Norfolk, Northamptonshire, Northumberland, North Lincolnshire, North East Lincolnshire, North Tyneside, North West Somerset, Nottingham City, Nottinghamshire, Oxfordshire, Peterborough, Plymouth, Poole, Portsmouth, Reading, Redcar and Cleveland, Rotherham, Rutland, Sheffield, Slough, Somerset, Southend, Southampton, South Tyneside, Stockton-on-Tees, Suffolk, Sunderland, Surrey, Swindon, Thurrock, Torbay, Wakefield, West Sussex, Windsor and Maidenhead, Wokingham, York, The Isle of Wight, The Isles of Scilly, and the following parts of counties, districts and unitary authorities in England – *Derby City:* that part of the unitary authority which lies to the north of the northern boundary of the A52(T) road together with that part of the unitary authority which lies to the north of the northern boundary of the A6(T) road; *Derbyshire:* that part of the county which lies to the north of the northern boundary of the A52(T) road, and that part of the county which lies to the north of the northern boundary of the A6(T) road; *Gloucestershire:* that part of the county which lies to the east of the eastern boundary of the Fosse Way Roman road; Leicestershire: that part of the county which lies to the east of the eastern boundary of the Fosse Way Roman road, together with that part of the county which lies to the east of the eastern boundary of the B4114 road, and that part of the county which lies to the east of the eastern boundary of the M1 motorway; *North Yorkshire:* the whole county, except that part of the county which comprises the district of Craven; *South Gloucestershire:* that part of the unitary authority which lies to the south of the southern boundary of the M4 motorway; *Staffordshire:* that part of the county which lies to the east of the eastern boundary of the A52(T) road and that part of the county which lies to the east of the eastern boundary of the A523 road; *Warwickshire:* that part of the county which lies to the east of the eastern boundary of the Fosse Way Roman road; and *Wiltshire:* that part of the county which lies to the south of the southern boundary of the M4 motorway, and

(**11**) O.J. No. L127, 9.5.01, p. 42; and see the associated Commission Directive 2001/32/EC of 8th May 2001 recognising potential zones exposed to particular plant health risks in the Community and repealing Directive 92/76/EEC (O.J. No. L127, 9.5.01, p. 38)

(**12**) O.J. No. L77, 20.3.02, p. 23; and see the associated Commission Directive 2002/29/EC, (O.J. No. L77, 20.3.02, p. 26)