STATUTORY RULES OF NORTHERN IRELAND

2002 No. 273

PLANT HEALTH

The Plant Health (Amendment) Order (Northern Ireland) 2002

Made - - - -	*30th August 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(**5**) and 4(1)(**6**) of the Plant Health Act (Northern Ireland) 1967(**7**) and of all other powers enabling it in that behalf, hereby makes the following Order:

Citation and commencement

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

Amendment of the Plant Health Order (Northern Ireland) 1993

2. The Plant Health Order (Northern Ireland) 1993(**8**) shall be amended in accordance with Articles 3 to 9.

3. In Article 3(1) (Interpretation) for the definition of "Directive 2000/29/EC" there shall be substituted –

> ""Directive 2000/29/EC" means Council Directive 2000/29/EC(**9**) 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 2001/33/EC(**10**) of 8th May 2001 amending certain annexes

(**1**) Formerly the Department of Agriculture for Northern Ireland; *see*S.I. 1999/283 (N.I. 1)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. 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. 256 as amended by S.R. 1994 No. 28, S.R. 1995 No. 164, No. 250 and No. 494, S.R. 1996 No. 204 and No. 249, S.R. 1997 No. 110 and No. 397, S.R. 1998 No. 16, No. 146 and No. 315, S.R. 1999 No. 24, S.R. 2000 No. 126, S.R. 2001 No. 188, and No. 437
(**9**) O.J. No. L169, 10.7.00, p.1
(**10**) O.J. No. L127, 9.5.01, p. 42; and see the associated Commission Directive 2001/31/EC, O.J. No. L127, 9.5.01, p. 38

to Council Directive 2000/29/EC and by Commission Directive 2002/28/EC(**11**) of 19th March 2002 amending certain annexes to Council Directive 2000/29/EC;"

4. In Schedule 1, Part B, Section B (Viruses and Virus-Like Organisms) in column (3) opposite Item 1 after the words "United Kingdom" there shall be inserted "(Northern Ireland)".

5. In Schedule 2, Part B, Section B (Bacteria) for the entries in column (4) opposite Item 2 there shall be substituted –

"Spain, France (Corsica), Ireland, Italy (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forli-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto: except, in the province of Rovigo, the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesoo Umbertiano, Castleguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusia, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes of Palù, Roverchiara, Legnago (the portion of the communal territory situated to the north east of the Transpolesana national road), Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), Portugal, Finland, UK (Northern Ireland, Isle of Man and Channel Islands)".

6. In Schedule 3, Part B, (Plants And Plant Products Which May Not Be Introduced Into Or Kept Within Certain Protected Zones) for the entries in column (3) opposite Item 1 there shall be substituted –

"Spain, France (Corsica), Ireland, Italy (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forli-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto: except, in the province of Rovigo, the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesoo Umbertiano, Castleguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusia, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes of Palù, Roverchiara, Legnago (the portion of the communal territory situated to the north east of the Transpolesana national road), Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), Portugal, Finland, UK (Northern Ireland, Isle of Man and Channel Islands)".

7. In Schedule 4, Part B (Conditions To Be Met Before Plants, Plant Products And Other Objects May Be Introduced Into Or Moved Within Certain Protected Zones):

(a) for the entries in column (4) opposite Items 13 and 14 after the words "United Kingdom" there shall be inserted "(Northern Ireland)";

(b) for the entry in column (4) opposite Item 15 there shall be substituted –

(**11**) 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