STATUTORY RULES OF NORTHERN IRELAND

2001 No. 437

PLANT HEALTH

The Plant Health (Amendment) Order (Northern Ireland) 2001

Made - - - -	*27th December 2001*
Coming into operation	*21st January 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 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) 2001 and shall come into operation on 21st January 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 17.

3. In Article 3(1) (Interpretation):

(a) for the definition of "Directive 77/93/EEC" 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**) amending certain annexes to Council Directive 2000/29/EC";

(**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
(**9**) O.J. No. L169, 10.07.00, p. 1
(**10**) O.J. No. L127, 09.05.01, p. 42

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

4. In Article 30, for the words "Directive 77/93/EEC" there shall be substituted the words "Directive 2000/29/EC".

5. In Schedule 1, Part B, Section A (Insects, Mites And Nematodes At All Stages Of Their Development)—

(a) in column (3) opposite Item 1 "Denmark" shall be deleted; and

(b) for the entries in column (3) opposite Item 2 there shall be substituted—

"Finland (districts of Aland, Håme, Kymi, Pirkanmaa, Satakunta, Turku, Uusimaa);

Ireland;

Portugal (Azores and Madeira);

Spain (Ibiza and Menorca);

Sweden (counties of Blekinge, Gotlands, Halland, Kalmar and Skåne); and

United Kingdom (Northern Ireland, Isle of Man and Channel Islands)."

6. In Schedule 1, Part B, Section B (Viruses And Virus-Like Organisms), in column (3) opposite Item 2 "Denmark" shall be deleted.

7. In Schedule 2, Part B, Section A (Insects, Mites And Nematodes At All Stages Of Their Development)—

(a) for the entries in column (4) opposite Item 5 there shall be substituted—

"Greece;

Portugal (Azores; district of Beja: all concelhos; district of Castelo Branco: concelhos de Castelo Branco, Fundão and Penamacôr, Idanha-a-Nova; district of Évora with the exception of concelhos de Montemor-O-Novo, Mora and Vendas Novas; district of Faro: all concelhos; district of Portalegre: concelhos de Arronches, Campo Maior, Elvas, Fronteira, Monforte and Sousel)"; and

(b) Item 7 shall be deleted.

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

"Austria (Burgenland, Carinthia, Lower Austria, East Tyrol, Styria, Vienna);

Finland;

France (Corsica);

Ireland;

Italy (Abruzzi; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlí-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Apulia; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto);

Portugal;

Spain; and

United Kingdom (Northern Ireland, Isle of Man and Channel Islands)".

9. In Schedule 3, Part A (Plants, Plant Products And Other Objects Which May Not Be Landed If They Originate In Certain Countries), at Item 7, column (3) for the words "Article 16a of Directive 77/93/EEC", in both places where they appear, there shall be substituted "Article 18 of Directive 2000/29/EC".

10. In Schedule 3, Part B (Plants And Plant Products Which May Not Be Introduced Into Or Kept Within Certain Protected Zones):

(a) for the entries in column (3) opposite Item 1 there shall be substituted—

"Austria (Burgenland, Carinthia, Lower Austria, East Tyrol, Styria, Vienna);

Finland;

France (Corsica);

Ireland;

Italy (Abruzzi; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forli-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Apulia, Sardinia, Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto);

Portugal;

Spain; and

United Kingdom (Northern Ireland, Isle of Man and Channel Islands)";

(b) in column (2) opposite Item 1 for the words "Article 16a of Directive 77/93/EEC" there shall be substituted "Article 18 of Directive 2000/29/EC".

11. In Schedule 4, Part A, Section 1 (Plants, Plant Products And Other Objects Originating Outside The European Community) opposite Items 11, 12, 14, 17, 30, 31, and 63 for "Article 16a of Directive 77/93/EEC" in the text in column (3), and opposite Item 43 in the text in column (2) there shall be substituted the words "Article 18 of Directive 2000/29/EC".

12. In Schedule 4, Part A, Section II (Plants, Plant Products And Other Objects Originating In The European Community) opposite Items 6, 7, 17, and 30 for "Article 16a of Council Directive 77/93/EEC" in the text in column (3) there shall be substituted the words "Article 18 of Directive 2000/29/EC".

13. 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) Item 7 shall be deleted; and

(b) at Item 12 for the text in column (4) there shall be substituted—

"Greece; and

Portugal (Azores; district of Beja: all concelhos; district of Castelo Branco: concelhos de Castelo Branco, Fundão and Penamacôr, Idanha-a-Nova; district of Évora with the exception of concelhos de Montemor-O-Novo, Mora and Vendas Novas; district of Faro: all concelhos; district of Portalegre: concelhos de Arronches, Campo Maior, Elvas, Fronteira, Monforte and Sousel)";

(c) at Item 15 for the text in column (4) there shall be substituted—

"Austria (Burgenland, Carinthia, Lower Austria, East Tyrol, Styria, Vienna);

Finland;

France (Corsica);

Ireland;

Italy (Abruzzi; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlí-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Apulia; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto);

Portugal;