1986 No. 24

PLANT HEALTH

Import and Export (Plants and Plant Products) (Plant Health) (Amendment) Order (Northern Ireland) 1986

Made . . . . . *30th January 1986*

Coming into operation . . . *24th February 1986*

The Department of Agriculture in exercise of the powers conferred on it by sections 2(**a**), 3(1)(**a**) and 3B(1)(**b**) of the Plant Health Act (Northern Ireland) 1967(**c**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Import and Export (Plants and Plant Products) (Plant Health) (Amendment) Order (Northern Ireland) 1986 and shall come into operation on 24th February 1986.

Amendment of Import and Export (Plants and Plant Products) (Plant Health) Order (Northern Ireland) 1981

2. The Import and Export (Plants and Plant Products) (Plant Health) Order (Northern Ireland) 1981(**d**) shall be amended as follows—

(*a*) in Article 3(1) the definition of "non-indigenous" shall be deleted;

(*b*) in Article 5 the words "(*b*) a non-indigenous pest whether or not it is listed in Schedule 1;" shall be deleted;

(*c*) in Article 12 for paragraphs (1), (2) and (3) there shall be substituted:

"**12.**—(1) If it appears to an inspector that a consignment of plants or plant products is in the course of being landed or is likely to be landed and that if landed, such a consignment would be landed in contravention of the provisions of this Order he may serve upon the importer or any person in control of the landing of that consignment from a vehicle, vessel, aircraft, hovercraft or freight container a notice:

(*a*) prohibiting the landing of that consignment; or

(*b*) setting out the manner in which the landing of that consignment is to be carried out and the precautions which are to be taken in the course thereof and the further precautions which are to be taken following upon such landing; or

(*c*) requiring that if landed the consignment be destroyed within such time and in such manner and at such place as may be set out in such notice.

(2) If it appears to an inspector at any time that a consignment of plants or plant products has been landed and that—

(*a*) such landing is in contravention of the provisions of this Order; or

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(**a**) As amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 2
(**b**) Inserted by S.I. 1984/702 (N.I. 2) Art. 15(2)
(**c**) 1967 c. 28 (N.I.)
(**d**) S.R. 1981 No. 38