STATUTORY INSTRUMENTS

1975 No. 1618

PLANT HEALTH

The Dutch Elm Disease (Restriction on Movement of Diseased Elms) (Amendment) Order 1975

Made - - - -	*6th October* 1975
Laid before Parliament	*14th October* 1975
Coming into Operation	*5th November* 1975

The Forestry Commissioners, by virtue and in exercise of the powers vested in them by section 3(1), (2) and (4) of the Plant Health Act 1967**(a)**, as amended by section 92(2) of, and Part II of Schedule 3 to, the Criminal Justice Act 1967**(b)** and by section 4(1) of, and paragraph 8(1) and (3) of Schedule 4 to, the European Communities Act 1972**(c)**, and as read with section 20 of the Agriculture (Miscellaneous Provisions) Act 1972**(d)**, and of all other powers enabling them in that behalf, hereby make the following Order:—

Citation and Commencement

1. This Order, which may be cited as the Dutch Elm Disease (Restriction on Movement of Diseased Elms) (Amendment) Order 1975, shall come into operation on 5th November 1975 and shall apply to Great Britain.

Interpretation

2.—(1) In this Order "the Principal Order" means the Dutch Elm Disease (Restriction on Movement of Diseased Elms) Order 1974**(e)**.

(2) The Interpretation Act 1889**(f)** shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Amendment of Principal Order

3. The Principal Order shall be amended as follows:—

(1) in Article 2(1),—

(*a*) the words " "area" means a non-metropolitan county, a metropolitan district, a London borough or the City of London" shall be deleted;

(*b*) for the definition of "non-scheduled area" there shall be substituted the following definition:—

" "non-scheduled area" means any non-metropolitan county except East Sussex, and any metropolitan district, not specified in Schedule 1 and the non-metropolitan county of East Sussex except the part thereof specified in Schedule 1 under the heading "5. Part of a County." "

(2) In Schedule 1, the words "East Sussex" shall be deleted, and at the end of the Schedule there shall be added the following:—

(a) 1967 c. 8. (b) 1967 c. 80. (c) 1972 c. 68.
(d) 1972 c. 62. (e) S.I. 1974/767 (1974 II, p. 2991). (f) 1889 c. 63.

"5. Part of a County

The part of the non-metropolitan county of East Sussex which comprises the districts of Hastings and Rother, those parts of the parishes of Chailey and Newick which lie north of the southern boundary of the road from Haywards Heath to Maresfield (A272), the parishes of Buxted, Crowborough, Danehill, Fletching, Forest Row, Frant, Hadlow Down, Hartfield, Herstmonceux, Hooe, Horam, Maresfield, Mayfield, Rotherfield, Uckfield, Wadhurst, Waldron, Warbleton, Wartling, Withyham and those parts of the parishes of East Hoathly and Framfield which lie to the north of the southern boundary of the road from Newick to Cross-in-Hand (B2102)."

IN WITNESS whereof the Official Seal of the Forestry Commissioners is hereunto affixed on 6th October 1975.

(L.S.)

J. M. Hunter,
Secretary to the Forestry Commissioners.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order amends the Dutch Elm Disease (Restriction on Movement of Diseased Elms) Order 1974 by reducing the area of the non-metropolitan County of East Sussex which is a scheduled area for the purpose of that Order to that part of the County as is described in the addition to Schedule 1 to that Order effected by Article 3(2) of this Order, and the remainder of the County becomes a non-scheduled area for the purpose of that Order.

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