STATUTORY INSTRUMENTS

1974 No. 877

SEEDS

The Forest Reproductive Material (Amendment) Regulations 1974

Made - - -	21*st May* 1974
Laid before Parliament	31*st May* 1974
Coming into Operation	1*st July* 1974

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers vested in them by subsections (1), (1A), (2), (3), (4) and (8) of section 16 of the Plant Varieties and Seeds Act 1964(**a**), as amended by section 4(1) of, and sub-paragraphs (1), (2), (3), (4) and (5) of paragraph 5 of Schedule 4 to, the European Communities Act 1972(**b**), and of all other powers enabling them in that behalf, after consultation with the Council on Tribunals and with representatives of such interests as appear to them to be concerned, hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Forest Reproductive Material (Amendment) Regulations 1974, and shall come into operation on 1st July 1974.

Interpretation

2.—(1) In these regulations "the principal regulations" means the Forest Reproductive Material Regulations 1973(**c**), as amended (**d**).

(2) The Interpretation Act 1889(**e**) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Amendment of Regulation 7 of the principal regulations

3. The words "to be permitted to appear before them" in Regulation 7(1) and the word "permission" in Regulation 7(2) shall be deleted.

(**a**) 1964 c. 14.
(**b**) 1972 c. 68.
(**c**) S.I. 1973/944 (1973 II, p. 2843).
(**d**) The amending regulations are not relevant to the subject matter of these regulations.
(**e**) 1889 c. 63.

Amendment of Schedule 6 to the principal regulations

4. In the table set out in paragraph 4A of Schedule 6 to the principal regulations—

(*a*) for the figure "4", where it secondly appears in the column listing maximum ages of stocky young plants opposite the reference to *Picea abies*, there shall be substituted the figure "5", and

(*b*) in the columns headed "stocky young plants", opposite the reference to *Pinus nigra* (other than forma *austriaca*), there shall be inserted the particulars set out in the table below (the column headings being therein repeated for reference only):—

"

Stocky Young Plants		
Max. age in years	Height in cm	Min. diameter of root collar (mm)
3	10—15	4
4	15—30	5
4	30—40	6
4	40—50	7
4	50 and over	8

".

In Witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 17th May 1974.

(L.S.)

Frederick Peart,
Minister of Agriculture, Fisheries and Food.

William Ross,
Secretary of State for Scotland.

21st May 1974.

John Morris,
Secretary of State for Wales.

20th May 1974.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Forest Reproductive Material Regulations 1973 ("the principal Regulations"), which are concerned with the control of the marketing of forest reproductive material (seed, cones, parts of plants and young plants) of certain genera and species of tree.

Regulation 4 of the Regulations amends the table in paragraph 4A of Schedule 6 to the principal Regulations by—

(*a*) altering one of the maximum age criteria in the standards laid down for certain plants of *Picea abies* (Norway spruce), and

(*b*) for the first time providing age and size standards for certain plants of *Pinus nigra* (Corsican pine).

Regulation 4 gives effect to Council Directive 74/13/EEC, which amends Annex 3 of Council Directive 71/161/EEC (on external quality standards for forest reproductive material marketed within the Community). The latter Directive is one of the Directives to implement which the principal Regulations were made, the other being Council Directive 66/404/EEC (on the marketing of forest reproductive material) as amended by Council Directive 69/64/EEC.

In addition, the Regulations amend Regulation 7 of the principal Regulations to make it quite clear that oral representations against a proposal of the Forestry Commissioners concerning the registration of basic material may be made as of right.

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