STATUTORY INSTRUMENTS

1986 No. 195

PLANT HEALTH

The Import and Export (Plant Health) (Great Britain) (Amendment) Order 1986

Made - - - -	*6th February* 1986
Laid before Parliament	*17th February* 1986
Coming into Operation	*10th March* 1986

The Minister of Agriculture, Fisheries and Food in relation to England, the Secretary of State for Scotland in relation to Scotland and the Secretary of State for Wales in relation to Wales, in exercise of the powers conferred by sections 2 and 3(1) and (2) of the Plant Health Act 1967(**a**), and now vested in them (**b**), and of every other power enabling them in that behalf, hereby make the following order:—

Title, extent and commencement

1. This order may be cited as the Import and Export (Plant Health) (Great Britain) (Amendment) Order 1986, shall apply to Great Britain and shall come into operation on 10th March 1986.

Amendment of principal order

2. The Import and Export (Plant Health) (Great Britain) Order 1980(**c**) is amended as follows:—

(1) The following are omitted:—

(*a*) In Article 3(1) (interpretation) the definition of "non-indigenous plant pest";

(*b*) Article 5(*b*) (prohibition of the landing of certain non-indigenous plant pests); and

(*c*) Article 13(1)(*b*) and (*c*) (action in relation to the landing of plants etc carrying certain plant pests).

(2) For sub-paragraphs (*b*) and (*c*) of paragraph (2) of Article 13 there is substituted the following sub-paragraph:—

"(*b*) such plant, plant product or soil is carrying or infected with any plant pest which is not normally present in Great Britain and in respect of

(**a**) 1967 c. 8; sections 2(1), 3(1) and (2) were amended by the European Communities Act 1972 (c. 68), section 4(1) and Schedule 4, paragraph 8.
(**b**) In the case of the Secretary of State for Wales by virtue of S.I. 1978/272.
(**c**) S.I. 1980/420, to which there are amendments not relevant to this order.

which there is in the opinion of the inspector an imminent danger of its spreading or being spread in Great Britain;".

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 6th February 1986.

L.S.

Michael Jopling,
Minister of Agriculture, Fisheries and Food.

Malcolm Rifkind,
Secretary of State for Scotland.

5th February 1986.

Nicholas Edwards,
Secretary of State for Wales.

4th February 1986.

EXPLANATORY NOTE

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

This order amends the Import and Export (Plant Health) (Great Britain) Order 1980 by omitting the references to non-indigenous plant pests and certain other pests. The powers of an inspector under Article 13(2) of the 1980 Order will now be available in relation to any plant pest which is not normally present in Great Britain and in respect of which there is in the opinion of an inspector an imminent danger of its spreading or being spread in Great Britain (Article 2). The provisions of the 1980 Order in relation to plant pests which are mentioned in Schedule 1 or 2 to that order remain unchanged.

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