STATUTORY INSTRUMENTS

1974 No. 1

PLANT HEALTH

The Importation of Forest Trees (Prohibition) (Great Britain) (Amendment) Order 1974

Made - - -	*2nd January* 1974
Laid before Parliament	*10th January* 1974
Coming into Operation	*1st February* 1974

The Forestry Commissioners, in exercise of the powers vested in them by sections 2 and 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 of all other powers enabling them in that behalf, hereby make the following Order:—

Citation, commencement and extent

1. This Order, which may be cited as the Importation of Forest Trees (Prohibition) (Great Britain) (Amendment) Order 1974, shall come into operation on 1st February 1974 and shall apply to Great Britain.

Interpretation

2.—(1) This Order shall be construed as one with the Importation of Forest Trees (Prohibition) (Great Britain) Order 1965(**c**), referred to in this Order as "the principal Order".

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

Amendment of Article 2(1) of the principal Order

3. Article 2(1) of the principal Order shall be amended as follows:—

(*a*) for the definition of "plant" there shall be substituted the following definition—

"plant" means a living plant or tree, and includes:
(*a*) the roots, layers, cuttings and other parts of a living plant or tree, except the fruit or seeds thereof, and

(**a**) 1967 c. 8.
(**b**) 1967 c. 80.
(**c**) S.I. 1965/2121 (1965 III, p. 6236).
(**d**) 1889 c. 63.

(*b*) a tree severed from its roots, or a part of a tree, which retains some or all of its foliage;

(*b*) for the definition of "premises" there shall be substituted the following definition—

"premises" includes any vehicle, vessel, aircraft, hovercraft or freight container;

(*c*) after the definition of "premises" there shall be inserted the following definition—

"tree" includes a shrub.

Amendment of Article 8 *of the principal Order*

4. In Article 8(1) of the principal Order there shall be substituted—

(*a*) for the word "ten" the words "one hundred", and

(*b*) for the word "fifty" the words "two hundred".

In Witness whereof the Official Seal of the Forestry Commissioners is hereunto affixed on 2nd January 1974.

(L.S.)

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

EXPLANATORY NOTE

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

This Order amends the Importation of Forest Trees (Prohibition) (Great Britain) Order 1965, which prohibits the importation (except under licence) into Great Britain from various countries abroad of certain kinds of forest trees in order to prevent the introduction of diseases and pests injurious to such kinds of trees.

This Order restricts the application of the 1965 Order to living plants or trees and increases the maximum penalties for offences under that Order.

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