



Plant Health Act (Northern Ireland) 1967

1967 CHAPTER 28

[^{F1}3B Matters which may be included in orders under this Act.

- (1) Without prejudice to the generality of sections 2 and 3, an order under this Act may—
- (a) direct or authorise the removal, treatment or destruction of any crop, or any seed, plant or part of a seed or plant or any container, wrapping or other article or any substance which has on it, or is infected with, a pest or to or by means of which a pest is in the opinion of the Department likely to spread;
 - (b) direct or authorise the entry on any land or elsewhere for the purpose of any removal, treatment or destruction authorised by the order, or any examination or inquiry so authorised, or for any other purpose of the order;
 - (c) create offences and in particular may—
 - (i) prohibit the selling or exposing or offering for sale or the keeping of living specimens of a pest or the distribution in any manner of such specimens;
 - (ii) make it an offence to contravene a condition specified in a licence granted by the Department for the purpose of exempting a person from any prohibition or restriction imposed by the order;
 - (d) provide for offences against the order to be punishable on summary conviction by a fine not exceeding [^{F2} level 5 on the standard scale].

[An order under this Act which contains a statement that it is made for the purpose
^{F3}(1A) of protecting forest trees, timber and other forest products from attack by pests, may impose such reasonable fees or other charges as the Department may, with the consent of the Department of Finance and Personnel, prescribe—

- (a) in connection with applications for and the issue of any licence or certificate which may be issued in pursuance of such an order in connection with the import or export of any article;
 - (b) in respect of the performance by the Department of any service without the performance of which any requirement for the issue of such a licence or certificate would not be met.]
- (2) Proceedings for an offence against an order under this Act may be instituted at any time within twelve months from the day on which the alleged offence was committed.]

Changes to legislation: There are currently no known outstanding effects for the Plant Health Act (Northern Ireland) 1967, Section 3B. (See end of Document for details)

F1 1984 NI 2

F2 1984 NI 3

F3 S. 3B(1A) inserted (13.9.2010) by Forestry Act (Northern Ireland) 2010 (c. 10), **ss. 14(2)**, 39(1) (with s. 37); S.R. 2010/309, **art. 2**, Sch.

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