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STATUTORY INSTRUMENTS

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**2022 No. 1020**

**PLANT HEALTH**

**The Pests of Plants (Authorisations)  
(Amendment) Regulations 2022**

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|-------------------------------|---------|--------------------------|
| <i>Made</i>                   | - - - - | <i>3rd October 2022</i>  |
| <i>Laid before Parliament</i> |         | <i>4th October 2022</i>  |
| <i>Coming into force</i>      | - -     | <i>1st November 2022</i> |

The Secretary of State makes these Regulations in exercise of the powers conferred by Articles 8(5), 48(5) and 105(6)(a) of Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants<sup>(1)</sup> (“the Plant Health Regulation”).

In accordance with Article 2a(2)(a) of the Plant Health Regulation, the Scottish Ministers and the Welsh Ministers have consented to the Secretary of State making these Regulations.

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Pests of Plants (Authorisations) (Amendment) Regulations 2022.

(2) These Regulations come into force on 1st November 2022.

(3) These Regulations extend to England and Wales and Scotland.

**Commencement Information**

**II** Reg. 1 in force at 1.11.2022, see [reg. 1\(2\)](#)

**Amendment of Commission Delegated Regulation 2019/829**

2.—(1) Commission Delegated Regulation (EU) 2019/829 supplementing Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of

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(1) EUR 2016/2031. Articles 8 and 48 were amended by, and Article 105 substituted by [S.I. 2020/1482](#). Article 2a(2) of EUR 2016/2031 (inserted by [S.I. 2020/1482](#)) contains a definition of “the appropriate authority” for the purposes of making regulations and provides that, in the case of regulations applying in relation to Wales or Scotland, “the appropriate authority” is the Secretary of State if consent is given by the Welsh Ministers or the Scottish Ministers, as the case may be.

plants, authorising Member States to provide for temporary derogations in view of official testing, scientific or educational purposes, trials, varietal selections, or breeding<sup>(2)</sup> is amended as follows.

(2) Omit Article 3 (recording of information).

(3) In Article 6(4) (letter of authority)—

(a) for the first subparagraph, substitute—

“The letter of authority issued by the competent authority<sup>(3)</sup> for a type of specified material covers all introductions into or movement within Great Britain of that material, subject to the following condition.

For movement within Great Britain, a copy of the letter of authority must be endorsed by the competent authority of the relevant territory of Great Britain from which the material is to be moved (where that authority is not the issuing authority).”;

(b) for the second subparagraph, substitute—

“The letter of authority is valid until the end of 31st December in the calendar year in which it is issued.”.

(4) In Annex 1, in paragraph 1—

(a) in point (c), omit “the number of sendings and the quantity per sending in case of multiple sendings,”;

(b) in point (d), for the words from “, address” to “case”, substitute “and address (including country), with appropriate documentary evidence where”.

(5) For Annex 2 (model letter of authority), substitute the model letter of authority set out in the Schedule.

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**Commencement Information**

**I2** Reg. 2 in force at 1.11.2022, see [reg. 1\(2\)](#)

**Transitional provision**

**3.** Regulation 2(3)(a) applies in relation to a letter of authority issued before 1st November 2022 to introductions or movements made after the coming into force of these Regulations.

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**Commencement Information**

**I3** Reg. 3 in force at 1.11.2022, see [reg. 1\(2\)](#)

*Benyon*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs

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(2) EUR 2019/829, amended by [S.I. 2020/1482](#).

(3) See Article 2(6) of EUR 2016/2031 (amended by [S.I. 2020/1482](#)) for the definition of “competent authority”.

## SCHEDULE

Regulation 2

Model Letter of Authority for the introduction into, or movement within, Great Britain of pests, plants, plant products and other objects for scientific or educational purposes etc

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### Commencement Information

**I4** Sch. in force at 1.11.2022, see [reg. 1\(2\)](#)

**Changes to legislation:** There are currently no known outstanding effects for the The Pests of Plants (Authorisations) (Amendment) Regulations 2022. (See end of Document for details)

|   |  |   |  |
|---|--|---|--|
| 1. Name and address of the place of origin of the specified material, including country   |  | <b>Letter of Authority</b>  |  |
|   |  | for the introduction into, or movements within, England / Wales / Scotland of pests, plants, plant products and other objects for scientific or educational purposes, trials, varietal selection or breeding (issued under Articles 8 and 48(1) of Regulation (EU) 2016/2031 and Commission Delegated Regulation (EU) 2019/829) |  |
| 2. Name, address, email address and phone number of person responsible for the specified activities<br><br>«OrgName»<br>«ORGADDR1»<br>«ORGADDR2»<br>«ORGADDR3»<br>«ORGADDR4»<br>«ORGADDR5»<br>«ORGPOSTCD»   |  | 3. Name of the responsible competent authority of issue (logo) delete other bodies as required.<br><br><b>Department for Environment, Food and Rural Affairs (Defra) / Welsh Government / Scottish Government</b>   |  |
| 4. Name and address of the Confinement facility/Quarantine station<br><br>«Containment facilities - rooms specified» at the above address   |  | 5. Declared point of entry for material introduced from a third country<br><br>Great Britain - «Point of entry»   |  |
| 6. Scientific name(s) when appropriate, or name of the specified material, including scientific name of the specified pest concerned and the country(s) of origin the material may be imported from:<br><br>«Specified material covered by authorisation»                       |  | 7. Quantity of specified material<br><br>«Quantity covered by authorisation»<br>If Annex 1 says N/A, please write As Required   |  |
| 8. Type of specified material<br>Authorisation for the introduction into, movement within, and holding, multiplication and use of «specified material»  |  |   |  |
| 9. Packaging and import / movement conditions   |  |   |  |
| 10. Additional declaration<br><b>This specified material is introduced into / moved within Great Britain territory under Articles 8 and 48(1) of Regulation (EU) 2016/2031 and Delegated Regulation (EU) 2019/829 and plant health authorisation no*****</b>                    |  |   |  |
| 11. Date of issuance: Valid from «issue date» to 31 December of the same year.<br>Reference number of the sending:<br>Quantity per sending of the specified material:   |  | 12. Final Use (tick appropriate option or specify other):<br>Destruction <input type="checkbox"/><br>Collection <input type="checkbox"/><br>Storage <input type="checkbox"/><br>Other, specify..... <input type="checkbox"/>  |  |
| 13. For internal movement within GB only: endorsement by the competent authority of the relevant territory of GB from which material is moved:<br><br>Place of endorsement:<br>Date:<br>*****<br><br>Signature of authorised officer:<br><br>Name in BLOCK LETTERS<br>NAME HERE |  | 14. Stamp of the responsible competent authority of issue<br><br>Place of issue:<br>Date: xx/xx/xxx<br><br>Signature of authorised officer:<br><br>Name (BLOCK LETTERS)<br>NAME HERE  |  |

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend Commission Delegated Regulation (EU) 2019/829 supplementing Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants, authorising Member States to provide for temporary derogations in view of official testing, scientific or educational purposes, trials, varietal selections, or breeding.

The Regulations amend the requirements for record keeping, allow multiple introductions into and movements of material within Great Britain to take place under one letter of authority (subject to endorsement by the competent authority of the territory of Great Britain from which the material is to be moved, where appropriate), amend the information required in an application for an authorisation and replace the model Letter of Authority with an updated version (regulation 2).

The Regulations make transitional provision so that regulation 2(3)(a) applies to introductions or movements made after the commencement of the Regulations under letters of authority issued before 1st November 2022.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

**Changes to legislation:**

There are currently no known outstanding effects for the The Pests of Plants (Authorisations) (Amendment) Regulations 2022.