
STATUTORY INSTRUMENTS

2022 No. 1120

PLANT HEALTH

**The Phytosanitary Conditions
(Amendment) (No. 3) Regulations 2022**

Made - - - - 1st November 2022
Laid before Parliament 3rd November 2022
Coming into force in accordance with regulation 1(1)

The Secretary of State makes these Regulations in exercise of the powers conferred by Articles 5(3), 30(1), 37(5), 41(3), 72(3) and 105(6) of Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants⁽¹⁾ and, in accordance with Article 2a(2) of that Regulation⁽²⁾, with the consent of the Welsh Ministers and the Scottish Ministers.

Following risk assessments made in accordance with Articles 5(3), 30(1), 37(5), 41(3) and (3A) and 72(3) of that Regulation⁽³⁾, the Secretary of State has determined that it is appropriate to amend Annexes 2⁽⁴⁾, 2A⁽⁵⁾, 4⁽⁶⁾ 7⁽⁷⁾ and 11⁽⁸⁾ to Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants⁽⁹⁾.

(1) EUR 2016/2031, amended by S.I. 2020/1482, 2021/79 and 426.
(2) Article 2a(2) of EUR 2016/2031 contains a definition of “the appropriate authority”, for the purposes of exercising any power to make regulations under that Regulation 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.
(3) Articles 5(3), 30(1), 37(5), 41(3) and (3A) and 72(3) were substituted by S.I. 2020/1482.
(4) Annex 2 was substituted by S.I. 2020/1527 and amended by S.I. 2021/641, 1171, 2022/114.
(5) Annex 2A was inserted by S.I. 2020/1527 and amended by S.I. 2021/426, 641, 1171, 2022/114.
(6) Annex 4, Part I was substituted by S.I. 2020/1527 and amended by S.I. 2021/1171 and 2022/114.
(7) Annex 7 was substituted by S.I. 2020/1527 and amended by S.I. 2021/136, 426, 641, 1171, 1229, 2022/114, 484.
(8) Annex 11 was substituted by S.I. 2020/1527 and amended by S.I. 2021/426, 641, 1171, 2022/114.
(9) EUR 2019/2072, amended by S.I. 2020/1527, 2021/136, 426, 641, 1171, 1229, 2022/114, 484.