

Regulation (EU) 2016/2031 of the European Parliament of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC

## CHAPTER II

### *Quarantine pests*

#### *Section 2*

#### *[<sup>F1</sup>GB] quarantine pests*

#### *Article 25*

### **Contingency plans for priority pests**

1 Each [<sup>F1</sup>competent authority] shall draw up and keep up to date for each priority pest which is capable of entering into and becoming established in [<sup>F2</sup>Great Britain] a separate plan containing information concerning the decision-making processes, procedures and protocols to be followed, and the minimum resources to be made available and the procedures to make available further resources in the event of an officially confirmed or suspected presence of that pest ('the contingency plan').

[<sup>F3</sup>The competent authorities] shall, at an appropriate stage, consult all relevant stakeholders in the process of drawing up and keeping up to date the contingency plans.

<sup>F4</sup>  
...

2 Each contingency plan shall include the following:

- <sup>F5</sup>a the roles and responsibilities of the bodies involved in the execution of the plan, in case of a confirmed or suspected presence of the priority pest concerned, as well as the chain of command and procedures for the co-ordination of actions to be taken by [<sup>F6</sup>the competent authority], other public authorities, as referred to in Article 4(2) of Regulation [<sup>X1</sup>(EU) 2017/625], delegated bodies or natural persons involved, as referred to in Article 28(1) of that Regulation, laboratories and professional operators <sup>F7</sup>...;
- b access of [<sup>F8</sup>the competent authority] to premises of professional operators, other relevant operators and natural persons;
- c access of [<sup>F9</sup>the competent authority], where necessary, to laboratories, equipment, personnel, external expertise and resources necessary for the rapid and effective eradication or, where appropriate, containment of the priority pest concerned;
- d measures to be taken concerning the provision of information to <sup>F10</sup>... the professional operators concerned and the public as regards the presence of the priority pest concerned and the measures taken against it in the event that the presence of the pest concerned is officially confirmed or suspected;
- e arrangements for recording findings of the presence of the priority pest concerned;
- f the available assessments as set out in Article 6(2) <sup>F11</sup>... ;

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- g the risk management measures to be taken as regards the priority pest concerned, in accordance with Section 1 of Annex II, and the procedures to be followed;
- h principles for the geographical demarcation of demarcated areas;
- i protocols describing the methods of visual examinations, sampling and laboratory testing; and
- j principles concerning the training of personnel of the competent [<sup>F12</sup>authority] and, where appropriate, the bodies, public authorities, laboratories, professional operators and other persons referred to in point (a).

Where appropriate, the items referred to in points (d) to (j) of the first subparagraph shall take the form of instruction manuals.

3 Contingency plans may be combined for multiple priority pests with similar biology and range of host species. In those cases, the contingency plan shall consist of a general part common to all priority pests covered by it and of specific parts for each priority pest concerned.

[<sup>F13</sup>4 The competent authorities must, before 1st January 2023, establish contingency plans for the priority pests included in the list of priority pests in the Annex to Commission Delegated Regulation (EU) 2019/1702, as it has effect on IP completion day.]

[<sup>F14</sup>4A Paragraph 4 does not apply in relation to any priority pest that is removed from that list before 1st January 2023.]

[<sup>F15</sup>4B.] Within one year from the date of the inclusion of any further pest concerned in the list of priority pests, [<sup>F16</sup>the competent authorities] shall establish [<sup>F17</sup>contingency plans] for that priority pest.

[<sup>F18</sup>4C.] [<sup>F19</sup>The competent authorities] shall regularly review and, where appropriate, update their contingency plans.

<sup>F20</sup>5 .....

#### Editorial Information

- X1** Substituted by Corrigendum to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (Official Journal of the European Union L 95 of 7 April 2017).

#### Textual Amendments

- F1** Words in Art. 25(1) substituted (31.12.2020) by [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), **27(24)(a)(i)(aa)** (with regs. 53, 55)
- F2** Words in Art. 25(1) substituted (31.12.2020) by [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), **27(24)(a)(i)(bb)** (with regs. 53, 55)
- F3** Words in Art. 25(1) substituted (31.12.2020) by [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), **27(24)(a)(ii)** (with regs. 53, 55)

**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) 2016/2031 of the European Parliament of the Council, Article 25. (See end of Document for details)

- F4** Words in Art. 25(1) omitted (31.12.2020) by virtue of [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), [27\(24\)\(a\)\(iii\)](#) (with regs. 53, 55)
- F5** Substituted by Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (Text with EEA relevance).
- F6** Words in Art. 25(2)(a) substituted (31.12.2020) by [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), [27\(24\)\(b\)\(i\)\(aa\)](#) (with regs. 53, 55)
- F7** Words in Art. 25(2)(a) omitted (31.12.2020) by virtue of [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), [27\(24\)\(b\)\(i\)\(bb\)](#) (with regs. 53, 55)
- F8** Words in Art. 25(2)(b) substituted (31.12.2020) by [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), [27\(24\)\(b\)\(ii\)](#) (with regs. 53, 55)
- F9** Words in Art. 25(2)(c) substituted (31.12.2020) by [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), [27\(24\)\(b\)\(ii\)](#) (with regs. 53, 55)
- F10** Words in Art. 25(2)(d) omitted (31.12.2020) by virtue of [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), [27\(24\)\(b\)\(iii\)](#) (with regs. 53, 55)
- F11** Words in Art. 25(2)(f) omitted (31.12.2020) by virtue of [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), [27\(24\)\(b\)\(iv\)](#) (with regs. 53, 55)
- F12** Word in Art. 25(2)(j) substituted (31.12.2020) by [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), [27\(24\)\(b\)\(v\)](#) (with regs. 53, 55)
- F13** Words in Art. 25(4) substituted (31.12.2020) by [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), [27\(24\)\(c\)\(i\)](#) (with regs. 53, 55)
- F14** Art. 25(4A) inserted (31.12.2020) by [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), [27\(24\)\(c\)\(ii\)](#) (with regs. 53, 55)
- F15** Words in in Art. 25(4) renumbered as Art. 25(4B) (31.12.2020) by [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), [27\(24\)\(c\)\(iii\)](#) (with regs. 53, 55)
- F16** Words in Art. 25(4B) substituted (31.12.2020) by [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), [27\(24\)\(c\)\(iv\)\(aa\)](#) (with regs. 53, 55)
- F17** Words in Art. 25(4B) substituted (31.12.2020) by [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), [27\(24\)\(c\)\(iv\)\(bb\)](#) (with regs. 53, 55)
- F18** Words in Art. 25(4) renumbered as Art. 25(4C) (31.12.2020) by [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), [27\(24\)\(c\)\(v\)](#) (with regs. 53, 55)
- F19** Words in Art. 25(4C) substituted (31.12.2020) by [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), [27\(24\)\(c\)\(vi\)](#) (with regs. 53, 55)
- F20** Art. 25(5) omitted (31.12.2020) by virtue of [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), [27\(24\)\(d\)](#) (with regs. 53, 55)

**Changes to legislation:**

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