

## 1986 No. 27

## PLANT HEALTH

## Plant Pests (Amendment) Order (Northern Ireland) 1986

Made . . . . . 30th January 1986

Coming into operation . . . . . 24th February 1986

The Department of Agriculture in exercise of the powers conferred on it by sections 3(1)(a) and 3B(1)(b) of the Plant Health Act (Northern Ireland) 1967(c) and of every other power enabling it in that behalf, hereby makes the following Order:

*Citation and commencement*

1. This Order may be cited as the Plant Pests (Amendment) Order (Northern Ireland) 1986 and shall come into operation on 24th February 1986.

*Amendment of Plant Pests Order (Northern Ireland) 1982*

2. The Plant Pests Order (Northern Ireland) 1982(d) shall be amended as follows—

- (a) in sub-paragraph (a)(i) of paragraph (1) of Article 5 for “any non-indigenous pest” there shall be substituted “any pest which is mentioned in the Schedules referred to in Article 7(6)(a)”;
- (b) after paragraph (5) of Article 7 there shall be inserted the following paragraph—

“(6) In this Article “non-indigenous pest” means—

- (a) any pest which is mentioned in:
- (i) Schedule 1 or 2 to the Import and Export (Plants and Plant Products) (Plant Health) Order (Northern Ireland) 1981(e); or
  - (ii) Schedule 2 to the Import and Export (Potatoes) (Plant Health) Order (Northern Ireland) 1981(f); or
  - (iii) Schedule 2 to the Import and Export (Wood and Bark) (Plant Health) Order (Northern Ireland) 1981(g); or
- (b) any pest other than those covered by sub-paragraph (a) which is not normally present in Northern Ireland and which in the opinion of an inspector is in imminent danger of spreading or being spread in Northern Ireland.”

Sealed with the Official Seal of the Department of Agriculture on 30th January 1986.

(L.S.)

B. R. Cummings

Assistant Secretary

(a) As amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 2

(b) Inserted by S.I. 1984/702 (N.I. 2) Art. 15(2)

(c) 1967 c. 28 (N.I.)

(d) S.R. 1982 No. 79

(e) S.R. 1981 No. 38 as amended by S.R. 1984 No. 70, S.R. 1984 No. 320 and S.R. 1985 No. 283

(f) S.R. 1981 No. 36

(g) S.R. 1981 No. 37

## EXPLANATORY NOTE

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

This Order amends the Plant Pests Order (Northern Ireland) 1982 by:

- (a) substituting for the prohibition on the keeping etc. of any non-indigenous pest or disease in Article 5 a provision prohibiting the keeping etc. of pests and diseases mentioned in Schedules 1 and 2 to the Import and Export (Plants and Plant Products) (Plant Health) Order (Northern Ireland) 1981, Schedule 2 to the Import and Export (Potatoes) (Plant Health) Order (Northern Ireland) 1981 and Schedule 2 to the Import and Export (Wood and Bark) (Plant Health) Order (Northern Ireland) 1981 [Article 2(a)];
- (b) providing a new definition of "non-indigenous pest" for the purposes of Article 7 so as to comprise all the pests and diseases mentioned in the Schedules referred to above and any other pest or disease which is not normally present in Northern Ireland and which in the opinion of an inspector of the Department of Agriculture is in imminent danger of spreading or being spread in Northern Ireland [Article 2(b)].