

## 1989 No. 484

## PLANT HEALTH

**Plant Health (Wood and Bark) (Amendment) Order  
(Northern Ireland) 1989**

*Made* . . . . . 14th December 1989

*Coming into operation* . . . . . 15th January 1990

The Department of Agriculture, in exercise of the powers conferred on it by sections 2(a), 3(1)(b) and 4(1)(c) of the Plant Health Act (Northern Ireland) 1967(d) 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 Health (Wood and Bark) (Amendment) Order (Northern Ireland) 1989 and shall come into operation on 15th January 1990.

*Amendment of Plant Health (Wood and Bark) Order (Northern Ireland) 1989*

2. The Plant Health (Wood and Bark) Order (Northern Ireland) 1989(e) shall be amended as provided in Articles 3 to 7.

*Interpretation*

3. In the definition of "importer" in Article 2 there shall be inserted after the word "machinery" where it first occurs the words "which are likely to be or have been landed".

*Examination, sampling and marking*

4. In Article 16(b)(i), for the word "importer", there shall be substituted the word "owner".

*Pests which may not be landed, kept, etc*

5. In Part I of Schedule 1, after paragraph 4, there shall be inserted—  
 "4A. *Monochamus* spp. (non-European), Wood Borers" of conifers (*Coniferae*)".

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(a) As amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 2; 1979 c. 2, s. 177(1) and Sch. 4 Pt. II; and S.I. 1984/702 (N.I. 2) Art. 15(2)  
 (b) As amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 2  
 (c) As amended by S.I. 1984/702 (N.I. 2) Art. 15(2)  
 (d) 1967 c. 28 (N.I.) as amended by S.I. 1975/1038 (N.I. 8) Art. 11(2) and S.I. 1984/702 (N.I. 2) Art. 15(2)  
 (e) S.R. 1989 No. 154

*Conditions subject to which wood and isolated bark may be landed*

6. In Schedule 3—

- (a) in paragraph (2)(a) of column (2) of item 5, after the word “bark”, there shall be inserted the words “and in the case of wood landed from non-European countries it shall be free from *Monochamus* spp. and their bore holes”;
- (b) in paragraph (1)(b)(i) of column (2) of item 10, after the word “bark”, there shall be inserted the words “and in the case of wood landed from non-European countries it shall be free from *Monochamus* spp. and their bore holes”.

*Exports to Member States*

7. In Part I of Schedule 4, for “item 1(3)(b)” where it occurs in paragraph 1(c), there shall be substituted “item 1(2)”.

Sealed with the Official Seal of the Department of Agriculture on 14th December 1989.

(L.S.)

*W. J. Wright*

Assistant Secretary

## EXPLANATORY NOTE

(This note is not part of the Order.)

This Order amends the Plant Health (Wood and Bark) Order (Northern Ireland) 1989 by—

- (a) altering the definition of “importer” to make it clear that this term applies only to a person in possession or entitled to custody or control of wood, isolated bark etc. which are likely to be or have been landed in Northern Ireland (Article 3);
- (b) limiting the power of an inspector, in certain circumstances, to require the importer or person in charge of containers, bundles or other packages of wood, isolated bark etc. to open them or anything which has been or may have been in contact with them so that it now only applies to the owner or person in charge of such items (Article 4);
- (c) adding the pest *Monochamus* spp. (non-European) to the list of pests set out in Schedule 1 Part I of the 1989 Order, the landing of which is prohibited in Northern Ireland (Article 5);
- (d) extending the controls for the landing in Northern Ireland of the wood of conifers, and any dunnage, pallets and packing material comprised of that wood, from non-European countries to require that such material shall be free from *Monochamus* spp. and their bore holes (Article 6); and
- (e) correcting an erroneous reference in Part I of Schedule 4 (Article 7).