
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Plant Protection Products Regulations (Northern Ireland) 1995 (S.R. 1995 No. 371), as amended by S.R. 1996 No. 456 and S.R. 1997 No. 471 (“the principal Regulations”) which implement as respects Northern Ireland Council Directive 91/414/EEC concerning the placing of plant protection products on the market (“the Directive”), as amended by Commission Directive 93/71/EEC, Commission Directive 94/37/EEC, Commission Directive 94/79/EC, Commission Directive 95/35/EC, Commission Directive 95/36/EC, Commission Directive 96/12/EC and Commission Directive 96/46/EC each of which amends Annexes II and III to the Directive.

The Regulations amend the definition of the Directive provided in the principal Regulations in consequence of Commission Directive 96/68/EC which amends Annexes II and III to the Directive and Council Directive 97/57/EC which establishes Annex VI to the Directive (regulation 3).

The Regulations also make certain modifications to the transitional provisions contained in Schedule 3.

First, the Regulations provide that regulation 9 of the principal Regulations (approvals for research and development) will apply to all relevant plant protection products (except those to which any of the exemptions provided in regulation 3(2)(a) to (c) and (e) to (i) of the Control of Pesticides Regulations (Northern Ireland) 1987 (“the 1987 Regulations”) applies). However approvals in respect of relevant plant protection products given in the form of an experimental permit under regulation 5(2)(a) of the 1987 Regulations which were in force on 23rd December 1997 will remain unaffected and will continue to be subject to the 1987 Regulations (regulation 4).

Secondly, the Regulations amend the definition of “relevant plant protection products” so that the expression now applies to those plant protection products containing at least one old active substance, as defined in the principal Regulations, which fall within the overall scope of the 1987 Regulations even if they are excluded from the 1987 Regulations by virtue of the exemptions provided in regulation 3(2) of those Regulations, removing a wider range of products from the scope of regulation 3(1) and (2) of the principal Regulations (regulation 5).