

**2009 No. 30**

**PLANT HEALTH**

**The Potatoes Originating in Egypt (Amendment) Regulations  
(Northern Ireland) 2009**

*Made* - - - - - *28th January 2009*

*Coming into operation* - *1st March 2009*

The Department of Agriculture and Rural Development(**a**) makes the following Regulations in exercise of the powers conferred by section 2(2) of, as read with paragraph 1A of Schedule 2 to, the European Communities Act (1972) (**b**).

It is a Department designated (**c**) for the purposes of section 2(2) of that Act (**d**) in relation to the common agricultural policy of the European Community.

These Regulations make provision for a purpose mentioned in section 2(2) of that Act and it appears to the Department that it is expedient for a reference to Commission Decision 2004/4/EC(**e**) to be construed as a reference to that Decision as amended from time to time.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as The Potatoes Originating in Egypt (Amendment) Regulations (Northern Ireland) 2009 and shall come into operation on 1st March 2009.

(2) In these Regulations, “the principal Regulations” refers to The Potatoes Originating in Egypt Regulations (Northern Ireland) 2004(**f**).

(3) The Interpretation Act (Northern Ireland) 1954(**g**) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

**Amendment of The Potatoes Originating in Egypt Regulations (Northern Ireland) 2004**

2.—(1) The principal Regulations are amended in accordance with paragraph 2.

(2) In regulation 2 (interpretation) in paragraph (2), for the definition of “the Decision” substitute—

““the Decision” means Commission Decision 2004/4/EC authorising Member States temporarily to take emergency measures against the dissemination of *Pseudomonas*

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(a) Formerly the Department of Agriculture for Northern Ireland; see S.I. 1999/283 (N.I.1), Article 3(4)

(b) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c.51).

(c) S.I. 2000/2812

(d) 1972 c.68

(e) O.J. No. L 2, 6.1.2004, p.50 (*Pseudomonas solanacearum* (Smith) Smith is now known as *Ralstonia solanacearum* (Smith) Yabuuchi et al.).

(f) S.R. 2004 No.183

(g) 1954 c.33 (N.I.)

*solanacearum* (Smith) Smith as regards Egypt and references in these Regulations to “the Decision” are references to that Decision as amended from time to time;”.

**Revocation**

3. The Potatoes Originating in Egypt (Amendment) Regulations (Northern Ireland) 2008(a) are revoked.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 28th January 2009.



*John Speers*

A senior officer of the Department of Agriculture and Rural Development

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(a) S.R. 2008 No.125

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend The Potatoes Originating in Egypt Regulations (Northern Ireland) 2004 (S.R. 2004/183) (“the principal Regulations”), authorising Member States temporarily to take emergency measures against the dissemination of *Pseudomonas solanacearum* (Smith) Smith (now referred to as *Ralstonia solanacearum* (Smith) Yabuuchi et al.) as regards Egypt.

Regulation 2(2) of these Regulations amends regulation 2(2) of the principal Regulations and substitutes a new definition of “the Decision”. This new definition provides that references in the principal Regulations to “the Decision” are references to that Decision as amended from time to time.

Regulation 3 revokes The Potatoes Originating in Egypt (Amendment) Regulations (Northern Ireland) 2008.

No Regulatory Impact Assessment has been prepared for these Regulations.

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