
STATUTORY RULES OF NORTHERN IRELAND

2018 No. 184

The Plant Health Order (Northern Ireland) 2018

PART 4

Registration of plant traders and authority to issue plant passports

Authority to issue plant passports

30.—(1) A registered plant trader who wishes to issue plant passports in relation to relevant material which is to be moved from any premises in Northern Ireland must apply in writing to the Department for the authority to do so.

(2) The applicant must provide the Department with any details which the Department reasonably requires about the relevant material.

(3) The Department may carry out any examination of the relevant material and the premises from which the material is to be moved which the Department considers necessary in relation to the application.

(4) The Department may only grant an authorisation to issue plant passports if, having regard to any examination of the relevant material and premises which are the subject of the application, the Department is satisfied—

- (a) that the premises and the relevant material are free from any relevant plant pests; and
- (b) where any requirements are specified under this Order in relation to the relevant material, those requirements have been complied with.

(5) An authorisation to issue plant passports granted by the Department must be given in writing and may be granted subject to such conditions as the Department considers appropriate to ensure that any relevant requirements under this Order are complied with in relation to the relevant material, including the territories for which the plant passports to be issued will be valid.

(6) The Department may suspend the operation of an authorisation to issue plant passports entirely or in relation to specified premises or specified relevant material if, having regard to any examination of the premises of the registered plant trader and any relevant material there, the Department is not satisfied—

- (a) that the premises or the relevant material are free from any relevant plant pests; and
- (b) where any requirements are specified under this Order in relation to the relevant material, that those requirements have been complied with.

(7) The Department may suspend the operation of, or vary an authorisation to issue plant passports, to the extent that the Department considers necessary if satisfied that the registered plant trader has failed to—

- (a) notify the Department in accordance with article 28(2) of any change in the particulars registered in relation to the plant trader;
- (b) comply with any of the conditions specified in article 29(1);
- (c) comply with any conditions in the authorisation granted under paragraph (5); or

- (d) comply with a requirement in a notice served on the plant trader under article 33.
- (8) In this article “relevant plant pest” means—
 - (a) a plant pest of a description specified in Part A or B of Schedule 1; or
 - (b) in relation to any relevant material of a description specified in column 2 of Schedule 2, a plant pest of a description specified in any entry in respect of that description of relevant material in column 3 of that Schedule which is present on the relevant material.