
STATUTORY RULES OF NORTHERN IRELAND

2020 No. 293

The Plant Health (Official Controls and Miscellaneous Provisions) Regulations (Northern Ireland) 2020

PART 12

Minor and consequential amendments

Amendment of the Marketing of Vegetable Plant Material Regulations (Northern Ireland) 1995

51.—(1) The Marketing of Vegetable Plant Material Regulations (Northern Ireland) 1995⁽¹⁾ are amended as follows.

(2) In regulation 2(2), after the definition of “[Directive 2008/72/EC](#)”, insert—

““the EU Plant Health Regulation” means Regulation (EU) 2016/2031 of the European Parliament of the Council on protective measures against pests of plants amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives [69/464/EEC](#), [74/647/EEC](#), [93/85/EEC](#), [98/85/EEC](#), [98/57/EC](#), [2000/29/EC](#), [2006/91/EC](#) and [2007/33/EC](#);(2)

Amendment of the Marketing of Ornamental Plant Propagating Material Regulations (Northern Ireland) 1999

52.—(1) The Marketing of Ornamental Plant Propagating Material Regulations (Northern Ireland) 1999⁽³⁾ are amended as follows.

(2) In regulation 2(1) omit the definition of “the Plant Health Official Controls Regulations”.

(3) In regulation 6A(4), in the definition of “responsible official body”, for the words from “an appropriate authority” to the end substitute “, in relation to Northern Ireland, the Department”.

(4) In regulation 7(5)—

(a) for “regulation 5 of the Plant Health Official Controls Regulations” substitute “the EU Plant Health Regulation”;

(b) at the end, omit the word “above”.

(5) In regulation 8(3), for the words from “a controlled plant pest” to “Controls Regulations” substitute “a plant pest of a description specified in Annex 2, 3 or 4 to Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and of the Council, as regards protective measures against pests of plants”.

(1) [S.R. 1995 No. 415](#).

(2) [O.J. No. L 317, 23.11.2016, p. 4](#).

(3) [S.R. 1999 No. 502](#).

(6) In regulation 12(3), for the words from “if he delivers” to the end substitute “, in relation to Northern Ireland, if the supplier delivers a phytosanitary certificate for export or a phytosanitary certificate for re-export to the Department”.

Amendment of the Seed Potatoes Regulations (Northern Ireland) 2016

53.—(1) The Seed Potatoes Regulations (Northern Ireland) 2016⁽⁴⁾ are amended as follows.

(2) In regulation 2(2), in the definition of “the Plant Health Official Controls Regulations”, for “2019” substitute “2020”.

(3) In Schedule 1—

(a) in paragraph 3(d)—

(i) in sub-paragraph (i), for “Parts 3 to 5 of Schedule 2 to” substitute “regulation 15(2) of”;

(ii) in sub-paragraph (ii), for “Part 6 of Schedule 2 to” substitute “regulation 17(2) of”.

(4) In Schedule 5—

(a) in paragraph 3(b)—

(i) in sub-paragraph (i), for “Parts 3 to 5 of Schedule 2” substitute “regulation 15(2)”;

(ii) in sub-paragraph (ii), for “Part 6 of Schedule 2” substitute “regulation 17(2)”;

(b) in paragraph 3(c)(ii), for “Schedule 15 to the Plant Health Order” substitute “Part 4 to Schedule 2 to the Plant Health Official Controls Regulations”.

Amendment of the Marketing of Fruit Plant and Propagating Material Regulations (Northern Ireland) 2017

54.—(1) The Marketing of Fruit Plant and Propagating Material Regulations (Northern Ireland) 2017⁽⁵⁾ are amended as follows.

(2) In regulation 2(1), omit the definition of “the Plant Health Official Controls Regulations”.

(3) In regulation 3(1), after the definition of “the Directive” insert—

““the EU Plant Health Regulation” means Regulation (EU) 2016/2031 of the European Parliament of the Council on protective measures against pests of plants amending Regulations (EU) No 228/2013, (EU) No 652/2014, and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives [69/464/EEC](#), [74/647/EEC](#), [93/85/EEC](#), [98/85/EEC](#), [98/57/EC](#), [2000/29/EC](#), [2006/91/EC](#) and [2007/33/EC](#)”;

(4) In regulation 11(7), for the words from “under regulation 4” to “Controls Regulations” substitute “for the purposes of the EU Plant Health Regulation”.

(5) In regulation 15(1)(g), for sub-paragraph (iii) substitute—

“a plant pest of a description specified in Annex 2 or 3 to Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and of the Council, as regards protective measures against pests of plants;”.

(4) [S.R. 2016 No. 190](#).

(5) [S.R. 2017 No. 119](#).