
STATUTORY RULES OF NORTHERN IRELAND

2020 No. 293

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

PART 6

Registration, authorisations and certificates

Applications for registration

19. An application for registration pursuant to Article 66(1) of the EU Plant Health Regulation which is to be submitted to the Department must be submitted in the manner and form required by the Department.

Other applications

20.—(1) The following applications must be made to the Department in the manner and form required by the Department—

- (a) an application for a temporary authorisation to permit a relevant activity for official testing, scientific or educational purposes, trials, varietal selection or breeding;
- (b) an application for an authorisation referred to in Article 64(2) of the EU Plant Health Regulation;
- (c) an application for an authorisation referred to in Article 89(1) of the EU Plant Health Regulation;
- (d) an application for an authorisation referred to in Article 98(1) of the EU Plant Health Regulation;
- (e) an application for the issue of a phytosanitary certificate for export, a phytosanitary certificate for re-export or a pre-export certificate.

(2) In this regulation—

“relevant activity” means an activity which would otherwise be prohibited under the EU Plant Health Regulation, an EU emergency decision or another EU plant health rule involving—

- (a) the introduction of a plant pest or a plant, plant product or other object into Northern Ireland;
- (b) the movement of a plant pest or a plant, plant product or other object within Northern Ireland;
- (c) the holding of a controlled plant pest or a plant, plant product or other object at premises in Northern Ireland; or
- (d) the multiplication of a plant pest at premises in Northern Ireland.

Authorisations for other purposes

- 21.**—(1) The Department may grant an authorisation to permit—
- (a) the carrying out of any activity specified in a plant health derogation;
 - (b) the introduction into Northern Ireland, the movement within Northern Ireland, or the holding or multiplication in Northern Ireland, of a potential quarantine plant pest for official testing, scientific or educational purposes, trials, varietal selection or breeding; or
 - (c) the carrying out of any other activity which requires the approval of the Department under the EU Plant Health Regulation, the Official Controls Regulation or these Regulations.
- (2) An application for any such authorisation must be made to the Department in the manner and form required by the Department.
- (3) In paragraph (1)—
- “plant health derogation” means—
- (a) a derogation from provisions of the EU Plant Health Regulation which is set out in an implementing or delegated act adopted by the European Commission under the EU Plant Health Regulation or the Official Controls Regulation; or
 - (b) a derogation in any decision within the meaning of Article 288 of the Treaty on the Functioning of the European Union, which continues to apply for the purposes of the EU Plant Health Regulation on or after the commencement date and allows member States to authorise an activity which would otherwise be prohibited by or under the EU Plant Health Regulation.
- “potential quarantine plant pest” means a plant pest which is not a Union quarantine pest, a protected zone quarantine pest or a plant pest subject to any measures adopted pursuant to Article 30(1) of the EU Plant Health Regulation, but which, in the opinion of the Department, fulfils the criteria set out in Subsection 1 of Section 3 of Annex 1 to that Regulation or may fulfil the criteria in Subsection 2 of that Section.

Authorisations granted by the Department

- 22.**—(1) An authorisation granted by the Department for the purposes of the EU Plant Health Regulation, the Official Controls Regulation or these Regulations must be in writing and may be granted—
- (a) subject to conditions;
 - (b) for an indefinite period or a specified period.
- (2) The Department may modify, suspend or revoke an authorisation at any time by notice in writing.