

SCHEDULE 1 **N.I.**

Temporary national measures

PART 3 **N.I.**

Official controls on consignments from third countries

Official controls to be performed on Schedule 1 consignments **N.I.**

12.—(1) The Department must perform official controls on a Schedule 1 consignment at the border control post of arrival.

(2) Any documentary check, identity check or physical check in relation to a Schedule 1 consignment must be performed by a plant health inspector.

(3) In the case of a Schedule 1 consignment which is in transit, a plant health inspector may require the following official controls to be carried out before authorising any onward transit of the consignment—

- (a) a documentary check of the transit declaration and an examination of any other official documents accompanying the consignment;
- (b) a physical check of the consignment’s packaging and means of transport to verify that there is no risk of any Union quarantine pests, protected zone quarantine pests or pests subject to the measures adopted pursuant to Article 30(1) of the EU Plant Health Regulation being spread whilst in transit through the Union territory.

(4) In the case of a Schedule 1 consignment which is being transhipped and remains, or is to remain, at the border control post of arrival for longer than the transshipment period, a plant health inspector may require the following official controls to be carried out—

- (a) a documentary check of the transit declaration and an examination of any other official documents accompanying the consignment;
- (b) an identity check or plant health check in relation to the consignment.

(5) In the case of any other Schedule 1 consignment, a plant health inspector must carry out a documentary check, identity check and a physical check.

(6) Any documentary check, identity check or physical check which is carried out in relation to a Schedule 1 consignment must, so far as is possible, be carried out by a plant health inspector in the same manner as the inspector would carry out the check if the consignment were a consignment of plants, plant products or other objects referred to in Article 47(1)(c) of the Official Controls Regulation.

(7) Where a plant health inspector suspects that a Schedule 1 consignment is likely to be, or has been, brought into Northern Ireland from a third country in contravention of a domestic import rule or that any controlled material in the consignment may not otherwise comply with a domestic import rule relating to the controlled material in the consignment, the plant health inspector must serve a notice on the responsible operator—

- (a) placing the consignment under official detention; and
- (b) prohibiting the entry of the consignment into Northern Ireland,

pending the outcome of any additional official controls on the consignment which the inspector considers are necessary to confirm or to eliminate that suspicion.

(8) In sub-paragraph (4), “transshipment period” means—

- (a) in relation to an airport, three days or more;

Changes to legislation: There are currently no known outstanding effects for the The Plant Health (Official Controls and Miscellaneous Provisions) Regulations (Northern Ireland) 2020, Paragraph 12. (See end of Document for details)

(b) in relation to a port, 30 days or more.

Commencement Information

II Sch. 1 para. 12 in operation at 23.12.2020, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Plant Health (Official Controls and Miscellaneous Provisions) Regulations (Northern Ireland) 2020, Paragraph 12.