

DRAFT STATUTORY INSTRUMENTS

2019 No. 000

**EXITING THE EUROPEAN UNION, ENGLAND
PLANT HEALTH, ENGLAND**

**The Plant Health (Amendment)
(England) (EU Exit) Regulations 2019**

*Made - - - - - ***
Coming into force in accordance with
regulation 1(2)*

**THE PLANT HEALTH (AMENDMENT)
(ENGLAND) (EU EXIT) REGULATIONS 2019**

PART 1

Introductory

1. Citation, commencement, extent and application

PART 2

Amendment of the Plant Health (England) Order 2015

2. The Plant Health (England) Order 2015 is amended as follows....
3. In Schedule 13, in paragraph 3, for “A notice under...
4. In Schedule 14— (a) omit paragraph 1;
5. In Schedule 15— (a) in paragraph 1—
6. In Schedule 16— (a) in paragraph 1, in the definition...

PART 3

Amendment of the Plant Health (Forestry) Order 2005: exiting the European Union

7. The Plant Health (Forestry) Order 2005 is amended as follows....
8. In article 2— (a) in paragraph (1)—
9. In article 2A— (a) in paragraph (1)(a), omit “England or”;...
10. In article 3— (a) at the appropriate places insert— “correct...
11. Omit article 4.
12. After article 4 insert— Application of Part 2: England This Part applies to plant pests and relevant material which...

13. In article 5— (a) in the heading for “landing” substitute...
14. In article 6— (a) in the heading, for “landing” substitute...
15. After article 6 insert— EU transit material: England (1) No person may bring any EU transit material into...
16. In article 7— (a) at the beginning insert—
17. In article 8— (a) at the beginning insert—
18. In article 9— (a) at the beginning insert—
19. Omit article 10.
20. After article 10 insert— Prohibitions applying to notifiable relevant material...
21. In article 11— (a) in the words before sub-paragraph (a),...
22. In article 12— (a) at the beginning insert—
23. After article 12 insert— Requirements applicable to notified EU material:...
24. In article 14(1), for the words from “under customs” to...
25. In article 15— (a) omit paragraph (2);
26. Omit article 16.
27. After article 16 insert— Requirements to be met by relevant...
28. Omit article 17.
29. After article 17 insert— Approved places of inspection: England (1) The Commissioners may approve premises which are not located...
30. In Part 3, in the heading, omit “Community”.
31. Omit articles 18 and 19.
32. After article 19 insert— Prevention of the spread of tree...
33. Omit article 20.
34. After article 20 insert— Requirements for UK plant passports: England...
35. In article 21— (a) in paragraph (1)—
36. Omit article 22.
37. After article 22 insert— Validity of UK plant passports: England...
38. In article 23— (a) in the heading, for “plant passports”...
39. In Part 4, in the heading, for “PLANT PASSPORTS” substitute...
40. In article 24, omit paragraph (4).
41. In article 28— (a) in the heading and paragraphs (1),...
42. Omit Part 5.
43. In article 30— (a) in paragraph (1)(b), for “plant passport”...
44. After article 30 insert— Emergency measures: England (1) Where a regulated tree pest is found to be...
45. In article 31— (a) in paragraph (1) , for “landed”...
46. In article 32— (a) in paragraph (2)(a), at the end...
47. In article 36(2), omit “, including representatives of the European...
48. In article 38— (a) in paragraph (1)—
49. In article 39— (a) in the heading, omit the words...
50. In article 40— (a) omit paragraph (2);
51. Omit article 41.
52. After article 41 insert— Notification of the likely entry into,...
53. In article 42— (a) in paragraph (2)(b)—
54. In article 43(1)— (a) in sub-paragraph (a)—
55. After article 45 insert— Transitional provision: UK plant passports (1) An authorisation to issue plant passports which has been...
56. Omit Schedules 1 to 8.
57. In Schedule 9— (a) in the heading, for “plant passports”...
58. In Schedule 12, in Part A— (a) in paragraph 1,...
59. Omit Schedule 13.

60. After Schedule 13, insert— SCHEDULE13A Licences for trial or scientific...

PART 4

Amendment of the Plant Health (Fees) (Forestry) (England and Scotland) Regulations 2015: exiting the European Union

61. The Plant Health (Fees) (Forestry) (England and Scotland) Regulations 2015...
62. In regulation 2(1)— (a) for the definition of “controlled consignment”...

PART 5

Further amendment of the Plant Health (England) Order 2015: exiting the European Union

63. The Plant Health (England) Order 2015 is amended as follows....
64. In article 2— (a) in paragraph (1)—
65. In article 3— (a) at the appropriate places insert— “correct...
66. For article 4(1) substitute— This Part applies to plant pests and relevant material which...
67. In article 5— (a) for paragraph (1) substitute—
68. In article 6— (a) for paragraph (1) substitute—
69. After article 6 insert— EU transit material (1) No person may bring any EU transit material into...
70. In article 7— (a) in paragraph (1)—
71. In article 8(1)— (a) in the words before sub-paragraph (a)—...
72. In article 9— (a) for paragraph (1) substitute—
73. In article 10— (a) at the beginning, insert—
74. In article 11— (a) in sub-paragraph (b), for “European Union”,...
75. In article 12— (a) at the beginning insert—
76. After article 12 insert— Requirements applicable to notified EU material...
77. In article 14(1), for “under customs supervision pursuant to Article...
78. In article 15— (a) in paragraph (1)—
79. In article 16— (a) in the heading, omit “EU transit...
80. In article 17— (a) in paragraph (1), for the words...
81. Omit article 18.
82. In Part 3, in the heading, omit “EU”.
83. Omit articles 19 and 19A.
84. In article 20— (a) for sub-paragraphs (a) to (g), substitute—...
85. In article 21— (a) in the heading, for “plant passports”...
86. In article 22— (a) in paragraph (1)—
87. In article 23— (a) in paragraph (1), for the words...
88. In article 24— (a) in the heading, for “plant passports”...
89. In Part 4, in the heading, for “plant passports” substitute...
90. In article 25, omit paragraph (2).
91. In article 28— (a) in paragraph (3)—
92. In article 29— (a) in the heading and paragraphs (1),...
93. Omit Part 5.
94. In article 31— (a) in paragraph (1)(c), after “issue” insert...
95. After article 31 insert— Emergency measures (1) Where a regulated plant pest is found to be...
96. In article 32— (a) in paragraph (1), for “introduced” substitute...
97. In article 33— (a) in paragraph (5), omit “, including...
98. In article 37(5), omit “, including representatives of the European...

99. In article 39— (a) in paragraph (1), after “other than”...
100. In article 40— (a) in paragraph (1)—
101. In article 41— (a) in the heading, omit the words...
102. In article 42, in paragraph (3)— (a) in sub-paragraph (a)—...
103. In article 43(3)(b)— (a) for the words in paragraph (i)...
104. In article 44— (a) in paragraph (3), after “certificate,” insert...
105. In article 46— (a) in paragraph (1)—
106. After article 49 insert— Transitional provision: UK plant passports (1) An authorisation to issue plant passports which has been...
107. Omit Schedules 1 to 8.
108. In Schedule 9— (a) in the heading to Schedule 9,...
109. Omit Schedule 12.
110. In Schedule 14— (a) in paragraph 2—
111. In Schedule 15— (a) in paragraph 1—
112. In Schedule 16— (a) in paragraph 1—
113. After Schedule 16, insert— SCHEDULE16A Licences for trial or scientific...

PART 6

Amendment of the Plant Health etc. (Fees) (England) Regulations 2018: exiting the European Union

114. The Plant Health etc. (Fees) (England) Regulations 2018 are amended...
115. In regulation 3— (a) in paragraph (1), for “to the...”
116. In regulation 4(6)(a), after “issue” insert “UK”.
117. In regulation 6— (a) in paragraph (1), for “paragraph 5...”
118. Omit regulation 7.
119. In regulation 8, in paragraphs (3) and (6), for “Union”,...
120. In Schedule 5, in column 1 of the table, for...

PART 7

Revocations

121. The Potatoes Originating in Egypt (England) Regulations 2004 are revoked....
Signature
Explanatory Note