



# Plant Health Act 1967

## 1967 CHAPTER 8

### 3 Control of spread of pests in Great Britain.

- (1) A competent authority may from time to time make such orders as the authority thinks expedient <sup>F1</sup>... for preventing the spread of pests in Great Britain [<sup>F2</sup>or the conveyance of pests by articles exported from Great Britain].
- (2) The orders may direct or authorise—
  - (a) the removal [<sup>F3</sup>treatment]or destruction of any crop, or any seed, plant or part thereof [<sup>F4</sup>or any container, wrapping or other article], or any substance, which has on it, or is infected with, a pest, or to or by means of which a pest is in the opinion of the competent authority likely to spread;
  - (b) the entering on any land [<sup>F4</sup>or elsewhere]for the purpose of any removal [<sup>F3</sup>treatment]or destruction authorised by the orders, or any examination or inquiry so authorised, or for any other purpose of the orders.
- (3) The orders may prohibit the selling or exposing or offering for sale, or the keeping, of living specimens of a pest, or the distribution in any manner of such specimens.
- [<sup>F5</sup>(4) An order made by a competent authority under this section may provide that a person guilty of an offence against the order be liable on summary conviction to a fine of an amount not exceeding level 5 on the standard scale, <sup>F6</sup>. . . or not exceeding a lesser amount.
- (4A) An order so made for preventing the spread in Great Britain of the Colorado beetle (*Leptinotarsa decemlineata*) (Say)) may provide that a person guilty of an offence against the order relating to the keeping of living specimens of the beetle (in any stage of existence), or to the distribution in any manner of such specimens, shall be liable on summary conviction to imprisonment for not more than three months, as well as, or as an alternative to, a fine under subsection (4) above. ]
- (5) Proceedings for an offence against an order under this section may, . . . <sup>F7</sup>be instituted at any time within twelve months from the day on which the alleged offence was committed.

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**Changes to legislation:** Plant Health Act 1967, Section 3 is up to date with all changes known to be in force on or before 13 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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### Subordinate Legislation Made

- P1** For exercises of power see Table to Government Orders
- P2** Ss. 2, 3(1)(2) (with s. 1(2)(b)): power exercised by [S.I. 1991/240](#)
- P3** S. 3(1): s. 2 (with ss. 1(2)(b) and 3(1)) power exercised by [S.I. 1991/1777](#).
- P4** S. 3(1)(2)(4): s. 3(1) (with ss. 1(2)(b), 3(2)(4) and 4(1)) power exercised (S.) by [S.I. 1991/1905](#).
- P5** S. 3(1): s. 2 (with ss. 1(2)(a), 3(1) and 4A) power exercised by [S.I.1991/2523](#).

### Textual Amendments

- F1** Words in [s. 3\(1\)](#) omitted (31.12.2020) by virtue of [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), [2](#)
- F2** Words added by [European Communities Act 1972 \(c. 68, SIF 29:5\)](#), s. 4, [Sch. 4 para. 8](#)
- F3** Word inserted by [European Communities Act 1972 \(c. 68, SIF 29:5\)](#), s. 4, [Sch. 4 para. 8\(3\)](#)
- F4** Words inserted by [European Communities Act 1972 \(c. 68, SIF 29:5\)](#), s. 4, [Sch. 4 para. 8\(3\)](#)
- F5** S. 3(4)(4A) substituted by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 42](#)
- F6** Words in s. 3(4) repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), [Sch. 1 Pt. XIV](#) group2
- F7** Words repealed by [European Communities Act 1972 \(c. 68, SIF 29:5\)](#), s. 4, [Sch. 4 para. 8\(2\)](#)

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**Changes and effects yet to be applied to :**

- s. 3(4A) words substituted by [2003 c. 44 Sch. 27 para. 1\(2\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3(4B) inserted by [2003 c. 44 Sch. 27 para. 1\(3\)](#)