
 S T A T U T O R Y I N S T R U M E N T S

1986 No. 194

PLANT HEALTH

The Plant Pests (Great Britain) (Amendment) Order 1986

<i>Made - - - -</i>	<i>6th February 1986</i>
<i>Laid before Parliament</i>	<i>17th February 1986</i>
<i>Coming into Operation</i>	<i>10th March 1986</i>

The Minister of Agriculture, Fisheries and Food in relation to England, the Secretary of State for Scotland in relation to Scotland and the Secretary of State for Wales in relation to Wales, in exercise of the powers conferred by section 3(1) and (2) of the Plant Health Act 1967(a), and now vested in them(b), and of every other power enabling them in that behalf, hereby make the following order:—

Title, extent and commencement

1. This order may be cited as the Plant Pests (Great Britain) (Amendment) Order 1986, shall apply to Great Britain and shall come into operation on 10th March 1986.

Amendment of principal order

2. The Plant Pests (Great Britain) Order 1980(c) is amended as follows:—

(a) for sub-paragraph (a)(i) of paragraph (1) of Article 5 (prohibitions relating to non-indigenous plant pests etc) there is substituted the following:—

“(i) any plant pest which is mentioned in Schedule 1 or 2 to the Import and Export (Plant Health) (Great Britain) Order 1980(d) or any plant carrying or infected with any such pest; or”; and

(b) after paragraph (5) of Article 7 (remedial and precautionary measures) there is added the following paragraph:—

“(6) In this Article “non-indigenous plant pest” means—

(a) any plant pest which is mentioned in Schedule 1 or 2 to the Import and Export (Plant Health) (Great Britain) Order 1980, or

(b) any other plant pest which is not normally present in Great Britain and in respect of which there is in the opinion of an inspector an imminent danger of its spreading or being spread in Great Britain.”

(a) 1967 c. 8; section 3(1) and (2) was amended by the European Communities Act 1972 (c. 68), section 4(1) and Schedule 4, paragraph 8.

(b) In the case of the Secretary of State for Wales by virtue of S.I. 1978/272.

(c) S.I. 1980/499.

(d) S.I. 1980/420; relevant amending instruments are S.I. 1984/306, 1985/873.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 6th February 1986.



Michael Jopling,
Minister of Agriculture, Fisheries and Food.

Malcolm Rifkind,
Secretary of State for Scotland.

5th February 1986.

Nicholas Edwards,
Secretary of State for Wales.

4th February 1986.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order amends Article 5(1)(a)(i) of the Plant Pests (Great Britain) Order 1980 (which referred to the keeping etc of non-indigenous plant pests and plants carrying such pests) so as to prohibit the keeping etc without a licence of any plant pest mentioned in Schedule 1 or 2 to the Import and Export (Plant Health) (Great Britain) Order 1980 (Article 2). It also provides for the purposes of Article 7 of the Plant Pests (Great Britain) Order 1980 a new definition of "non-indigenous plant pest" so as to comprise all the plant pests mentioned in Schedules 1 and 2 to the Import and Export (Plant Health) (Great Britain) Order 1980 and any other plant pests which are not normally present in Great Britain and in respect of which there is in the opinion of an inspector an imminent danger of their spreading or being spread in Great Britain (Article 2).

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