
STATUTORY INSTRUMENTS

1995 No. 2874 (S.210)

PLANT HEALTH

The Seed Potatoes originating in the Netherlands
(Notification) (Scotland) Order 1995

<i>Made</i>	- - - -	<i>3rd November 1995</i>
<i>Laid before Parliament</i>		<i>7th November 1995</i>
<i>Coming into force</i>	- -	<i>4th November 1995</i>

The Secretary of State in exercise of the powers conferred on him by section 3 of the Plant Health Act 1967(1) and of all other powers enabling him in that behalf hereby makes the following Order:—

Citation, extent, commencement and interpretation

1.—(1) This Order may be cited as the Seed Potatoes originating in the Netherlands (Notification) (Scotland) Order 1995, shall extend to Scotland only and shall come into force on 4th November 1995.

(2) In this Order “seed potatoes” means tubers of *Solanum tuberosum* L., intended for planting.

Information to be given

2.—(1) Any person who—

- (a) has or has had in his possession or under his charge any seed potatoes grown in 1995 and which he knows or has reasonable cause to suspect have originated in the Netherlands, or
- (b) as auctioneer, salesman or otherwise, has sold, offered for sale or otherwise disposed of any such seed potatoes,

shall forthwith give to the Secretary of State (by notice in writing or otherwise) any information he may possess as to any such seed potatoes, and as to the persons who have or who have had or are likely to have or have had any of such seed potatoes in their possession or under their charge.

(2) Any information given under this article shall not be used as evidence against the person giving the information in any prosecution, except in respect of an alleged failure to comply with this article.

(1) 1967 c. 8; section 3(1) and (2) were amended by the European Communities Act 1972 (c. 68) section 4(1) and Schedule 4, paragraph 8, section 3(4) was substituted by section 42 of the Criminal Justice Act 1982 (c. 48); see section 1(2) for the definition of “competent authority”.

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Offences

3. A person shall be guilty of an offence if, without reasonable excuse, he contravenes or fails to comply with this Order and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

St Andrew's House,
Edinburgh
3rd November 1995

Lindsay
Parliamentary Under Secretary of State, Scottish
Office

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order requires persons who have or have had in their possession or who know of the presence in Scotland of seed potatoes grown in 1995 in the Netherlands to notify the Secretary of State accordingly.