
STATUTORY INSTRUMENTS

1996 No. 25

The Plant Health (Great Britain) (Amendment) Order 1996

Amendment of the Plant Health (Great Britain) Order 1993

4. After article 30 there shall be added the following new article—

“Licences for trial or scientific purposes and for work on varietal selections

30A.—(1) On receipt of an application containing the information set out in article 1(2) of Directive [95/44/EC](#) and on being satisfied that the general conditions set out in Annex I to Directive [95/44/EC](#) are fulfilled, the appropriate Minister shall by licence authorise the importation, movement or keeping of any plant pest, plant, plant product or other object for activities for trial or scientific purposes or for work on varietal selections where such importation, movement or keeping would otherwise be prohibited by this Order, and it shall not be an offence to import, move or keep anything under the authority of such a licence.

(2) A licence granted under paragraph (1) above shall be subject to—

- (a) the conditions laid down in article 2(2) of Directive [95/44/EC](#) to the extent that they are relevant to any plant pest, plant, plant product or other object that is the subject of the activities to which the licence relates;
- (b) such conditions specifying quarantine measures under paragraph 2(a) of Annex I to Directive [95/44/EC](#) as the appropriate Minister may determine;
- (c) such conditions specifying further quarantine measures under paragraph 2(b) of Annex I to Directive [95/44/EC](#) as the appropriate Minister may determine; and
- (d) in respect of a plant pest which is not listed in this Order, such additional conditions as the appropriate Minister may specify.

(3) At the conclusion of any activities to which a licence granted under paragraph (1) above relates the licensee shall—

- (a) subject to paragraph (4) below, destroy or sterilise any plant pest, plant, plant product or other object that was the subject of the activities and any other plant, plant product or other object which has come into contact with or which may have been contaminated by any such plant pest, plant, plant product or other object; and
- (b) sterilise, or clean in such other manner as may be specified by an inspector, the premises and facilities at which the activities were undertaken.

(4) An inspector may authorise the licensee to refrain from destroying any plant, plant product or other object under paragraph (3)(a) above if he is satisfied that it has been subjected to appropriate quarantine measures and that it has been found by testing in such manner as may be specified by an inspector to be free from plant pests listed in this Order and from other plant pests considered by the inspector issuing the authority to pose a risk.

(5) For the purposes of paragraph (2) above, references to the responsible official body in article 2(2) of, and Annex I to, Directive [95/44/EC](#) shall be taken to refer to the appropriate Minister.

(6) In paragraph (4) above “appropriate quarantine measures” means—

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- (a) in relation to plants for which quarantine measures are specified in Part A of Annex III to Directive [95/44/EC](#), those measures; and
- (b) in relation to other plants and to plant products and other objects, such quarantine measures as may be specified by an inspector.”.