

*This Statutory Instrument has been made in consequence of a defect in SI 2005/2530 and is being issued free of charge to all known recipients of that Statutory Instrument.*

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STATUTORY INSTRUMENTS

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**2007 No. 3133**

**PLANT HEALTH, ENGLAND**

**The Plant Health (England) (Amendment) (No. 3) Order 2007**

<i>Made</i>	- - - -	<i>24th October 2007</i>
<i>Laid before Parliament</i>		<i>31st October 2007</i>
<i>Coming into force</i>	- -	<i>21st November 2007</i>

The Secretary of State makes the following Order in exercise of the powers conferred by sections 2 and 3(1) of the Plant Health Act 1967(a), now vested in him(b):

**Title, commencement, extent and application**

**1. This Order—**

- (a) may be cited as the Plant Health (England) (Amendment) (No. 3) Order 2007;
- (b) comes into force on 21st November 2007; and
- (c) extends to England and Wales but only applies in England.

**Amendments to the Plant Health (England) Order 2005**

**2.—(1)** The Plant Health (England) Order 2005(c) is amended as follows.

(2) In Part B of Schedule 4, in the second column of items 1a, 6a and 20a, omit “originating in any third country”.

24th October 2007

*Jeff Rooker*  
Minister of State  
Department for Environment, Food and Rural Affairs

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- (a) 1967 c. 8; sections 2(1) and 3(1) were amended by the European Communities Act 1972 (c. 68), section 4(1) and Schedule 4, paragraph 8.
- (b) Under the Transfer of Functions (Wales) (No.1) Order 1978 (S.I. 1978/272), article 2(1) and Schedule 1, the functions of the Minister of Agriculture, Fisheries and Food under the Plant Health Act 1967 were, so far as they are exercisable in relation to Wales, transferred to the Secretary of State; and under the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2 and Schedule 1, the functions transferred to the Secretary of State by the 1978 Order were transferred to the National Assembly for Wales. These functions were transferred from the National Assembly for Wales to the Welsh Ministers under section 162 of, and paragraph 30(1) and (2) of Schedule 11 to, the Government of Wales Act 2006 (c. 32). Under article 2(1) and (2) of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794), the remaining functions of the Minister of Agriculture, Fisheries and Food under the Plant Health Act 1967 were transferred to the Secretary of State.
- (c) S.I. 2005/2530, as last amended by S.I. 2007/2950.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Plant Health (England) Order 2005 (S.I. 2005/2530) by removing the words “originating in any third country” from the descriptions of certain plant material to which certain landing and movement requirements are applied in Schedule 4 to that Order.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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