
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Plant Health (Forestry) Order 2005 (S.I. 2005/2517) (“the principal Order”) to introduce emergency measures to prevent the introduction and spread of *Chalara fraxinea* T. Kowalski, including its teleomorph *Hymenoscyphus pseudoalbidus*, a cause of ash dieback. In particular, the Order:

- (a) prohibits the landing in and the movement within Great Britain of *Chalara fraxinea* T. Kowalski (article 2(8));
- (b) prohibits the landing in and the movement within Great Britain of trees intended for planting of *Fraxinus* L. which are infected with *Chalara fraxinea* T. Kowalski (article 2(9));
- (c) imposes additional requirements on the landing and movement within Great Britain of trees intended for planting of *Fraxinus* L. (article 2(10) to (13)); and
- (d) imposes additional requirements on the consignment from Great Britain to other parts of the European Union of trees intended for planting of *Fraxinus* L. (article 2(14)).

The definition of “tree” in article 2(1) of the principal Order includes seeds and other parts of a tree.

This Order also:

- (a) implements Commission Directive [2008/61/EC](#) (establishing the conditions under which certain harmful organisms, plants, plant products and other objects listed in Annexes I to V to Council Directive [2000/29/EC](#) may be introduced into or moved within the Community or certain protected zones thereof, for trial or scientific purposes and for work on varietal selections) (OJ No L 158, 18.6.2008, p 41), which replaced Commission Directive [95/44/EC](#) (OJ No L 184, 3.8.1995, p 34) (article 2(7)); and
- (b) confers powers on the Forestry Commissioners to grant licences for trial or scientific purposes or for work on varietal selections in relation to certain tree pests (article 2(5)).

Article 2(7) makes the references to Commission Directive [2008/61/EC](#) in the principal Order ambulatory.

The Explanatory Memorandum for this instrument is available alongside the instrument at www.legislation.gov.uk.

Textual Amendments

- F1** Order revoked (S.) (14.12.2019) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/421\)](#), reg. 1(1), **sch. 6**, (E.) (14.1.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(England\) Regulations 2019 \(S.I. 2019/1517\)](#), reg. 1(1), **Sch. 6** and (W.) (27.3.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(Wales\) Regulations 2020 \(S.I. 2020/206\)](#), reg. 1, **Sch. 6**

Changes to legislation:

There are currently no known outstanding effects for the The Plant Health (Forestry) (Amendment) Order 2012 (revoked).