
STATUTORY INSTRUMENTS

2013 No. 2687

PLANT HEALTH, ENGLAND

The Plant Health (England) (Amendment) (No.3) Order 2013

Made - - - - *21st October 2013*
Laid before Parliament *21st October 2013*
Coming into force - - *11th November 2013*

The Secretary of State makes this Order in exercise of—

- (a) the powers conferred by sections 2 and 3(1) of the Plant Health Act 1967^{M1} and now vested in the Secretary of State^{M2}; and
- (b) the powers conferred by paragraph 1A of Schedule 2 to the European Communities Act 1972^{M3}.

This Order makes provision for a purpose mentioned in section 2(2) of the European Communities Act 1972. It appears to the Secretary of State that it is expedient for the references to the European Union instrument mentioned in article 3(a) to be construed as references to that instrument as amended from time to time.

Marginal Citations

- M1** 1967 c.8. Sections 2 and 3(1) were amended by the [European Communities Act 1972 \(c.68\)](#), [Schedule 4, paragraph 8](#) and [S.I. 2011/1043, article 6\(1\)](#). Section 2(2) was amended by the [Customs and Excise Management Act 1979 \(c.2\)](#), [Schedule 4, paragraph 12](#). Section 2(3) was inserted by [S.I. 1990/2371, Schedule 1, paragraph 1](#). The powers conferred by sections 2 and 3 are conferred on a “competent authority”, which is defined in section 1(2), for England and Scotland as regards the protection of forest trees and timber from attack by pests, as the Forestry Commissioners and otherwise, for England, as the Secretary of State.
- M2** The functions of the Minister of Agriculture, Fisheries and Food under the Plant Health Act 1967 were, so far as exercisable in relation to Wales, transferred to the Secretary of State by article 2 of, and Schedule 1 to, the [Transfer of Functions \(Wales\) \(No.1\) Order 1978 \(S.I. 1978/272\)](#). Those functions were transferred from the Secretary of State to the National Assembly for Wales by article 2 of, and Schedule 1 to, the [National Assembly for Wales \(Transfer of Functions\) Order 1999 \(S.I. 1999/672\)](#). The functions of the National Assembly for Wales were transferred to the Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to, the [Government of Wales Act 2006 \(c.32\)](#). The remaining functions of the Minister of Agriculture, Fisheries and Food were transferred to the Secretary of State by article 2(2) of the [Ministry of Agriculture, Fisheries and Food \(Dissolution\) Order 2002 \(S.I. 2002/794\)](#).

Status: Point in time view as at 11/11/2013.

Changes to legislation: There are currently no known outstanding effects for the *The Plant Health (England) (Amendment) (No.3) Order 2013 (revoked)*, *Introductory Text*. (See end of Document for details)

M3 1972 c.68. Paragraph 1A of Schedule 2 was inserted by section 28 of the [Legislative and Regulatory Reform Act 2006 \(c.51\)](#).

Status:

Point in time view as at 11/11/2013.

Changes to legislation:

There are currently no known outstanding effects for the The Plant Health (England) (Amendment) (No.3) Order 2013 (revoked), Introductory Text.