
STATUTORY INSTRUMENTS

2022 No. 739

**The Official Controls (Plant Health)
(Frequency of Checks) Regulations 2022**

PART 1

Rules relating to frequency of checks

Interpretation

2.—(1) In this Part—

- (a) “the appropriate computerised information management system” means the system for official controls referred to in Article 131 of the Official Controls Regulation;
- (b) “border control post” means a border control post in England, Scotland or Wales, which has been designated pursuant to Article 59(1) of the Official Controls Regulation for the purposes of official controls performed for the verification of compliance with the plant health rules;
- (c) “the Commission Regulation” means Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants⁽¹⁾;
- (d) “consignment” means a consignment of plants, plant products or other objects;
- (e) “financial year” means the period of twelve months ending with 31st March in any year;
- (f) “frequency rate”, in relation to physical checks and identity checks, means the minimum percentage of consignments arriving at a border control post in Great Britain during any given financial year in respect of which physical checks and identity checks must be carried out by a plant health inspector, being the percentage determined in accordance with regulations 3 and 4;
- (g) “the Official Controls Regulation” means Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products⁽²⁾;
- (h) “plant health inspector” means—
 - (i) in relation to England, an official plant health officer appointed by the Secretary of State or the Forestry Commissioners;
 - (ii) in relation to Scotland, an official plant health officer appointed by the Scottish Ministers;
 - (iii) in relation to Wales, an official plant health officer appointed by the Welsh Ministers;

(1) EUR 2019/2072, relevant amending instruments are [S.I. 2020/1527](#) and [S.I. 2021/426, 641, 1171 and 1229](#).

(2) EUR 2017/625, amended by [S.I. 2020/1481](#); there are other amending instruments but none is relevant.

Changes to legislation: There are currently no known outstanding effects for the The Official Controls (Plant Health) (Frequency of Checks) Regulations 2022, Section 2. (See end of Document for details)

- (i) “the Plant Health Regulation” means Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants⁽³⁾;
 - (j) “plant health rule” means a rule of a kind mentioned in Article 1(2)(g) of the Official Controls Regulation, and “the plant health rules” means all such rules.
- (2) Words and expressions not defined in this Part which appear in the Plant Health Regulation have the same meaning in this Part as in the Plant Health Regulation.

Commencement Information

II Reg. 2 in force at 22.7.2022, see [reg. 1\(1\)](#)

(3) EUR 2016/2031, amended by [S.I. 2020/1482](#); there are other amending instruments but none is relevant.

Changes to legislation:

There are currently no known outstanding effects for the The Official Controls (Plant Health) (Frequency of Checks) Regulations 2022, Section 2.